

Davis and Marc  
Saturday, 5 p. m.  
132 St.-Lenox Ave.

# Daily Worker

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# 11 COMMUNISTS WIN BAIL IN FREE SPEECH FIGHT

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The Communist leaders who won bail yesterday. Seated from left to right: Robert Thompson, Henry Winston, Eugene Dennis, Gus Hall and John Williamson. Standing: Jack Stachel, Irving Potash, Carl Winter, Councilman Benjamin Davis, John Gates and Gilbert Green.



# Now Quash the Indictment! An Editorial

**THE WINNING OF THE RIGHT TO BAIL** for the 11 Communist leaders who face five years in jail for "teaching and advocating" their political views is a victory for the preservation of the Bill of Rights.

The winning of bail is a recognition that involved in the far-reaching Foley Square trial is the constitutional question of free speech, the right of a political party to take its case to the people.

Judge Medina refused to admit that the constitutional right of free speech was involved. He would not grant the men bail. He sent them and their lawyers to jail. He implied that their case was an ordinary, cheap criminal case. Prosecutor McGohey up to the last minute spoke the same view. U. S. Attorney McGrath tried to take this position also.

**BUT THE FACTS** were too strong. Day by day, and hour by hour, the nation was raising its voice louder and louder in protest. From

all walks of life, from all groups and classes, came the indignant request for the preservation of the basic legal right of bail. The people won bail, still too high, it is true, but far from the vindictive million dollars demanded by the government.

The government's emphatically reiterated propaganda that the 11 Communist leaders are "security risks" found no support among the ever-growing groups of citizens who protested the denial of bail. Some of the manufactured hysteria has been punctured.

**COUNCILMAN BEN DAVIS** is now right back in the election fight as it enters its last week. What a greeting Harlem will give its own loved son and champion!

Now it is clear that Marcantonio and Ben Davis can win this election fight. Marc was the only mayoralty candidate who fought for bail and against Foley Square.

Marc and Ben can win. There is a tremendous sentiment in New York City—as there

is throughout the land—for the preservation of democratic rights.

**AMERICA IS NOT DOOMED TO PASS** through the hell of fascism.

The Communist Party, which stubbornly refused to let the government and the press decree its outlawry, which firmly announced the determination to defend its legality, has been proved right.

The Communist Party leaders have helped their country to stave off some of the blows against the Bill of Rights aimed by the reactionaries.

Now the fight must go on! Now the country must help quash the entire indictment which makes it a crime to advocate Socialist ideas. As the case goes to the Supreme Court, the nation must make itself unmistakably heard in defense of the right of political freedom.

Let New York now set its seal on this victory by getting to work to elect Ben Davis and Marcantonio!

## Marc Dares Rivals Debate Naziism

By Michael Singer

Rep. Vito Marcantonio, American Labor Party candidate for mayor, yesterday hurled a challenge at both Mayor O'Dwyer and Newbold Morris. Republican-Liberal, to debate with him at a street meeting in Brownsville tomorrow (Sat.) on the renazification of Germany.

Marcantonio will speak at 2 p.m. tomorrow at Pitkin Avenue and Hopkinson Avenue—the heart of the heavily-populated Jewish district—and he is expected to repeat his accusations that President Truman and John Foster Dulles are in cahoots to rebuild the Nazi war machine in Western Germany.

"I challenge O'Dwyer and Morris to denounce their party leaders," Marcantonio said. "I dare them to come before the Jewish people and say why they refuse to support my resolution in Congress calling for an investigation into the State Department's bipartisan policy of freeing the Iles Kochs, codding Nazi generals, employing former stormtroopers, continuing the bestial policies of anti-Semitism in Western Germany."

Repeating his confident assertion that "I'm ahead at this moment" to packed meetings last night Marcantonio called on his listeners to join the army of ALP canvassers over the weekend "to insure victory on election day."

### NEED CANVASSERS

Ten thousand doorbell ringers and canvassers of "hot-off-the-press" election leaflets and brochures in many languages will be of "decisive influence" all day tomorrow and Sunday, Marcantonio said. ALP clubs throughout the city will be open all day Saturday and Sunday.

Continuing his all-out speaking tour through the lower East Side, upper Manhattan and Harlem, Marcantonio drew 750 people at an outdoor meeting at 14 Street and Avenue B where L. Ross, candidate for comptroller, also spoke; 1,000 at a Joint Distributive Trades rally of Local 1250 at the Central Trades High School, 225 W. 24 St.; 2,500 at a huge Rutgers sound-truck rally at the Lower East Side; and 250 at a basement audience meeting at PS 165 at 109 Street between Amsterdam Avenue and Broadway.

He wound up the evening at a

forum of the Congress of American Women at the YWCA, 144 W. 138 St.

At the P. S. 165 meeting, where Negroes, Puerto Ricans and Jewish workers filled the small auditorium, he was introduced by James Waterman Wise, son of the late Rabbi Wise and outstanding anti-fascist lecturer and writer.

### BLASTS O'D RECORD

At the Local 1250 meeting, where workers of leading department stores in the city gave him a warm reception, Marcantonio blasted Mayor O'Dwyer's anti-labor record. He was the only one of the three major candidates to respond to the union's invitation to speak at the meeting.

After repeated letters and phone calls Mayor O'Dwyer and Newbold Morris finally sent messages which were coolly received.

At the Rutgers Square rally his appearance brought forth a tremendous cheer repeated three times: "Make Marc Mayor!" O'Dwyer's Sophomore relief policies was a major part of Marcantonio's speech and his denunciation of the Democratic - Republican - Liberal gangup against the democratic forces in Western Germany and their support of the bipartisan policy of rebuilding anti-Semitism and the Nazi war machine brought forth thunderous acclaim.

When he attacked Morris' submission to the bigoted machine of John Foster Dulles and the Wall Street crowd backing Morris, some of the crowd turned to the Jewish Daily Forward building on the opposite side of the square and booed lustily. The Forward carried a big election sign for Morris.

As the Marcantonio caravan sped through the city streets, paced by motorcycle escort, cheers and greetings went up from people on sidewalks, tenement steps and before store fronts.

### MARC, DAVIS RALLY

Marcantonio will join Communist Councilman Benjamin J. Davis at a tremendous street rally at 132 St. and Lenox Ave. tomorrow (Saturday) at 5 p.m., where Davis will

## Un-Americans Begin Smear Of Publishers

O. John Rogge, formerly Assistant U. S. Attorney General, yesterday asked whether the House Un-American Committee was beginning a witchhunt against publishers. The notorious group has subpoenaed Joseph Gaer, writer and publisher, to appear on Monday, Nov. 7, the day the criminal case against J. Parnell Thomas, former chairman of that group, is to begin.

Rogge noted that it was a "curious coincidence," and asked whether the subpoena was the "beginning of a terror attack on publishers."

Gaer, first publisher to be ordered to appear before the committee, said he wondered whether there was any connection between the subpoena and the fact that his firm published Hollywood On Trial, the story of the witchhunt against Hollywood writers; Our Vanishing Civil Liberties, which also attacks the committee, and The Vatican In World Politics.

"I am a writer primarily and what I have written is of course all public record," said Gaer. "It represents what I am. I do not want to erase one page or one sentence of my record, but I expect to be judged on the work I have done, the work I am doing and the work I still hope to accomplish, which should make its contribution a better America and a better world."

### French Cops

### Help Kuomintang

PARIS, Nov. 3.—French police today barred from the Chinese Embassy five of the six Chinese diplomats who support the Chinese Peoples-Republic.

The action was taken at request of the Kuomintang charge D'Alfares Tuan Mao-Lan.

## Davis, Marc at Harlem Rally Sat.

Ben Davis and all the American Labor Party candidates plus Paul Robeson will speak at the greatest political rally of 1949 in Harlem, Saturday at 5 p.m. at 132 St. and Lenox Avenue.

With the fighting councilman will be ALP candidates Rep. Vito Marcantonio, for Mayor; Ewart Guinier, borough president; Paul L. Ross, comptroller, and Mrs. Minnieola Ingersoll, council president.

Parades and other demonstrations will cover the community.

## Foster Calls Bail Victory of People

The following statement was issued by William Z. Foster, national chairman of the Communist Party, on the bail victory of the 11 Communist leaders:

The American people have refused to be stampeded by the Foley Square thought-control verdict. The release of the 11 Communist leaders on bail is a repudiation of Judge Medina's infamous attempt to nullify the constitutional right to bail. It is also a repudiation of the government's opposition to bail under the guise of "agreeing" to the exorbitant bond of \$1,000,000.

This victory is the first fruit of the growing popular understanding of the fascist threat represented by the unconstitutional Smith Act.

The court, in granting bail, recognized that this case involves fundamental constitutional issues.

The job now is to arouse the whole country to the full meaning of this un-American political trial and to rally the American people for a repudiation of the verdict and the Smith Act under which the indictment was brought.



## 400 HONOR STUYVESANT'S NEGRO GUEST-RESIDENTS

Over 400 people at Bishop Lawson's School, 56 W. 133 St., last night greeted the first Negro resident-guests of Jimcrow Stuyvesant Town—Mrs. Raphael and Hardine Hendrix. The meeting also honored the first anniversary of the Committee to End Discrimination at Stuyvesant Town.

Lindsey H. White, president of the Harlem National Association for the Advancement of Colored People, lauded the fight to destroy the project's Jimcrow, and called for the "cooperation of Negroes and whites in the fight." White was joined in this by James E. Allen, president of the New York State NAACP Council.

Mrs. Hendrix greeted the white tenants of Stuyvesant Town who welcomed her family when they first came as the guests of Jesse Kessler, an organizer of Local 65, Wholesale and Warehouse Union.

"Our stay," she said, "has been made possible by the joint democratic action of the New York NAACP and individual members of the American Jewish Congress, and the many other people and unions and groups that believe in democracy for all."

Mrs. Hendrix noted that it "was the tireless fight of Councilman (Benjamin J.) Davis whose resolution in the Council has made impossible any more Stuyvesant

(Continued on Page 11)



## Scribes Split on Texas, CCNY, N.W.--and You?

**MARDO:**

BOSTON U. to keep the slate clean but Temple is upset material. They managed to get a decent amount of points against Michigan State, remember?

OHIO STATE in a tossup tilt over Pitt. It's mighty uncomfortable picking against a team that just finished knocking off Penn.

CORNELL to roll it up against Syracuse. No contest, really.

I think it's time for CCNY to catch up to Brooklyn, don't you

DARTMOUTH to roll it up against Columbia. It's been a sad season for those Lions, sure enough.

Let's say YALE over Brown. I've been taking flyers on those Eli lads all season. Why stop now?

They'll have to show me that Fordham beyongs in the same league with ARMY.

PENN to come bouncing back against a fairly strong Virginia.

Another tough one loaded with "possibilities" but I'll go along with PRINCETON over Harvard.

ILLINOIS is a mite too tough for those Indiana Hoosiers. But I wouldn't want to bet on this one. No siree.

I don't blame NOTRE DAME for being concerned about Michigan State—but there is definite edge in power with the Irish.

Nobody is picking NORTH CAROLINA with that early season "certainty" anymore, but I do think the boys should beat a spunky William & Mary team. But here too we've got one of those upset possibilities. . . .

A real even-up game—but give me TENNESSEE over Georgia Tech on the basis of momentum over North Carolina next week.

Oh well. My heart belongs to Iowa but I'm picking MINNESOTA to win this one Bye and bye.

OKLAHOMA to crush Kansas State. How'd this safe one get into our coupon???

MICHIGAN over Purdue—last week's Boilermaker can be deceptive, y'know.

BAYLOR to show true class over Texas.

USC in a crusher over Stanford.

CALIFORNIA likewise over Washington State.

NORTHWESTERN over Wisconsin just because. Because why? Hmm. A very good question.

## Let's Go!

Boston U.	Temple
Pitt	Ohio State
Cornell	Syracuse
Brooklyn	CCNY
Columbia	Dartmouth
Yale	Brown
Army	Fordham
Penn	Virginia
Harvard	Princeton
Illinois	Indiana
Mich. State	Notre Dame
North Carolina	Wm. and Mary
Tennessee	Georgia Tech
Minnesota	Iowa
Kansas State	Oklahoma
Michigan	Purdue
Texas	Baylor
USC	Stanford
California	Wash. State
Northwestern	Wisconsin
NAME (Please Print)	
CITY	
STATE	

All entries sent to the Daily Worker Sports Dep't, 35 East 12th St., New York 3, N. Y. No prizes other than the pleasure of competing against the other readers of the paper with the winner and runners getting names in print.

### No Fouls vs. People With This D.A.

REFER TO PAGE 24 of Nat Holman's book "WINNING BASKETBALL" and see pictures of JULIAN C. TRUPIN, former C.C.N.Y. basketball star, now running for District Attorney of Bronx County on the American Labor Party ticket.

## DART AND PENN BIG FAVORITES

You can't pick those upsets from the point-spreads, but for those that stake in such things, Notre Dame rules a 14-point favorite over strong Michigan State tomorrow, while a Harvard team at full strength for the first time this year was being rated a lopsided 14 points beneath Princeton.

In the other early-line "quotes" on the big Saturday contest, here's how some of those tilts figured to the bookies. Big Dartmouth by 20 over weak Columbia. Brown a 7-point choice over a Yale club that many figure fully capable of pulling off an upset. A really tough game to figure in the estimate of most fans was surprisingly enough ruled the other way with the price heavily favoring Ohio State by 13½ over that powerful Pitt team which has been upset-minded all

season long. Out in the Big 10, Illinois stands a 15-point choice over the Indiana Hoosiers, while Minnesota was tabbed 10 points better than a red-hot Iowa team which has been rolling along like a powerhouse the past three weeks.

Another interesting midwest tussle sees Northwestern going in against Wisconsin with a 10-point edge and this one, too, has many fans thinking the other way. The biggest point-differential of the day has that big Oklahoma club by a justified 34 points over Kansas State. Guess that one really figures, eh?

**RODNEY:**

BOSTON U., which aimed for a big time team and got it, too much for Temple.

OHIO STATE to beat the rugged, hard-to-figure Pitt ensemble CORNELL can't even be stopped by tradition against porous Syracuse.

BROOKLYN to snap back and dump CCNY. Simply can't see that powerful personnel of last year not coming up for this game.

DARTMOUTH won't be any easier for Lou Little's groggy Columbia sophomores. Sad days have come to Morningside.

YALE, not nearly as bad as its record, to upend favored Brown.

Army, forewarned, over Fordham, but no route.

PENN to take out a little of that Pitt frustration on unbeaten Virginia, which hasn't met a top line foe.

PRINCETON over Harvard, with much superior forces barely prevailing over a topnotch upset situation.

ILLINOIS should be able to outscore Indiana if Michigan didn't take too much out of them.

NOTRE DAME over Michigan State, but Spartans won't die like Tulane.

NORTH CAROLINA, deflated, still too good for William and Mary, one at a time or both together.

TENNESSEE, finishing strong, to outpower Georgia Tech.

MINNESOTA must right itself against Iowa, or must it? Know that Iowa beat Northeastern, which routed Purdue, which beat Minnesota last week? (The gimmick is that Minnesota beat Northwestern too, so the Gophers are obviously better than themselves.)

OKLAHOMA beats Kansas State and that one is money back guarantee.

MICHIGAN over Purdue, which had its one big day.

TEXAS, on whom I've gone wrong twice in a row in close ones, to finally do it for me, stopping unbeaten Baylor.

USC nips Stanford in one of those traditionals where you take the underdog if you have imagination. (I have no imagination.)

CALIFORNIA in a rabbit hunt with Washington State.

WISCONSIN in the blue plate special upset over Northwestern.

SCORE OF WEEK: Last week said Ohio State 21, NW 0. It was 24-7. State was 6 point favorite. . . . NOTRE DAME 27, MICHIGAN STATE 14.

## Sellers Set For Negro Tilt

Country Lewis, coach of the Wilberforce State College team, was considerably heartened yesterday by word that Walter Sellers, star halfback, would see action against undefeated Morgan State, of Baltimore, at the Polo Grounds tomorrow in the clash between the two top Negro elevens in the country.

Sellers, considerably shaken up in Wilberforce's 40-13 defeat of Lincoln last Saturday, was due to work out with the Ohio eleven at the Polo Grounds today. The team arrived here this morning.

Sellers, 160-pound speedster from Ann Arbor, Michigan, has been leading ground gainer for Wilberforce and is co-captain.

## In This Corner...

By Bill Mardo

### The Readers Write . . .

TIME TO OPEN the mailbag and first off a most salient point from Hans Freistadt, the brilliant young physicist who gave the Senate-House Committee on Atomic Energy what for as they callously robbed him of his fellowship at North Carolina U. because of his political convictions.

"Dear Bill Mardo and Lester Rodney:

"I confess that I don't look at the sports pages very often or very carefully, and the following complaint may be an oversight on my part, in which case disregard this letter.

"I believe that if you cover college football, you should cover the teams of the Negro colleges as well as the teams of the white colleges, even and especially if the commercial press doesn't. You should of course fight for an end to Jimcrow in sports (in education in general) as you have done so well in the past; but until that goal is attained, I think you should give adequate coverage to Negro collegiate sports, which Negro students take at least as seriously as white students take theirs.

Yours sincerely,  
HANS FREISTADT,  
Chapel Hill, N. C.

THE COMPLAINT is well taken and we here are trying to correct the situation. Fact is, unless a lot of our readers can serve as volunteer correspondents and supply us with the info, we have little way of knowing the who, when, where or what of the Colored Intercollegiate Athletic Association. The sports wires systematically avoid mention of the Negro Conference while sending over news of almost every little white college football team in the land. Which, of course, shouldn't surprise anyone.

What we are trying to determine, however, is which of the Negro colleges have athletic publicity offices and for next season we hope to get more adequate coverage of their doings. But we do need the help of our readers located in the general areas of the Negro colleges to keep us posted the year round on other sports.

(By the way, Hans, hope you took enough of a look at the sports section the other day to catch that interview we had with Coach Ed Hurt of the Morgan State gridders. And you can bet the results of the Morgan-Wilberforce contest at the Polo Grounds Saturday will be handled on these pages.)

"Dear Bill Mardo and Lester Rodney:

"You guys are really doing a grand job! My wife is a thoroughly enthusiastic reader of all your stories, etc. She joins the chorus of all your well wishers. Many times I find no need to read your columns because she tells me all about the latest in sports with a thorough review of your material.

"Once again, hats off to you!"

BEN KOCEL,  
Detroit, Michigan.

THANKS FOR the nice words. We hope to keep improving on these pages.

"Dear Bill:

"Well, one of my predictions came to the fore this year—Harry Agannis of Boston University! How do you like that kid? I only saw him when he played in High School."

FRANK BALFOUR,  
Lawrence, Mass.

"Dear Bill:

"I liked your column on Marcel Cerdan very much. He was quite a fighter, and evidently, quite a fine person, too. I know, Bill, that you've long considered Ray Robinson the greatest boxer you've ever seen. In your Cerdan column you said that Marcel would've challenged Ray 'right down to his fingertips.' But you didn't say who you thought would've won such a fight. What say, Brother Bill?

ED FRIEDMAN,  
Brooklyn, N. Y.

WELL, ED, IT'S quite true, I consider Robinson the greatest fighter of our time. It's also true that Cerdan was a very great fighter. When I said that he would've given Robinson the stiffest challenge of Ray's career, that's exactly what I meant. I don't think Cerdan would've licked Ray, nor, on the other hand, do I think Robinson could've kayoed Marcel.

As I see it, it would've been one of those wondrous exhibitions of boxing skill between two guys who couldn't be faulted in any department, science, sock, defensive acumen, speed, foot, and combination punching. In other words, I believe Cerdan would've been the most well-rounded fighter Robinson has ever faced. The fight would've gone the distance, I believe, with Ray beating Cerdan on his greater edge in hand and foot speed. Consider, too, the vital factor of Ray's reach. Cerdan was a rather compact, squat, chunky gent. Ray would've had the height and arm reach (vital where his wondrous left jab is concerned) to have helped pile up an advantage in points.

But it would have been a fight to remember. Cerdan, you'll recall, had that uncanny defense wherein he tucked his head behind a crablike net of arms and elbows. He could move, pepper his punches home like a marksman when the opportunity presented itself, and then bottle up behind that forearm fortress when the other guy tried to counter him. Yes, it would've been a fight to test Robinson's incredible artistry right to the very depths. But then again, I believe Robinson is exactly that kind of a ring artist. Incredible.



# Fite Fans--Don't Be an Accomplice To the Crime! Here's What to Do:

By Bill Mardo

**THE RING DEATH** of Negro lightweight Talmadge Bussey again highlights the criminal negligence of boxing officials throughout the country. Bussey didn't die because of the severe punches he took around the head alone, nor was it solely due to his being back in the ring against Luther Rawlings only a few short days after their fierce encounter. Both of these were vital factors, true, but what actually killed Bussey was the continued shocking laxness of ring law which allows fight managers and seconds to act the roles of doctors in a boxer's corner during a contest.

This much the courageous Negro coroner in Wayne County, Dr. Samuel B. Milton, revealed for all to see in his report on Bussey's death. A report which, typically enough, is getting the hush-hush treatment from Detroit ring moguls and the commercial press generally.

Now it's nothing new in boxing, this business of a fighter's handlers being allowed to administer whatever medication they damn please to a fighter, regardless of their utter lack of knowledge of what it is they're doing and using on a fighter. If a guy's unconscious, we gotta bring him to, they figure. . . . Get him out for the next round. . . . "Knockouts don't look so good in the record," they growl. . . . Let's see. . . . Camphor and ammonia. That's strong stuff. . . . Strong enough to bring a horse to. . . . So if a fighter is out, camphor and ammonia it is.

Little does it matter to these parasites that camphor and ammonia are drugs which aggravate a hemorrhage condition such as Talmadge Bussey was suffering from after he staggered back to his corner at the end of the eighth round in Detroit's Arcadia Stadium. Aggravate it enough to actually serve as a death warrant. And that, as Dr. Milton disclosed, is what killed Talmadge Bussey.

The coroner, despite the barrage of silence which is greeting him these days, is carrying on a battle to prevent handlers from being allowed to use drugs on fighters to revive them. He has urged the Detroit prosecutor's office to legislate for such an outlawing of incompetents using the stimulents on others, and urges that any violation of such a law be branded contributory homicide.

Dr. Milton should be commended for putting the case this strongly. And yet there are many other evils that contribute to the growing list of ring fatalities, ring evils which should also be branded as contributory homicide every time another fighter is killed because of the criminal laxness and lack of laws to protect fighters from their greatest enemies, the handlers and managers and match-makers who know nothing but how to make a buck out of another man's blood.

**I THINK THE TIME** is long overdue for boxing fans to start fighting like hell to protect the workers of the brutal boxing trade. If we have to live a while longer with this "sport" as it's insanely practiced in this country, let's at least do everything we can to take the odor of death out of it. Unless fans begin NOW campaigning for vital ring reforms, we can all consider ourselves accomplices to the crime. We will all be guilty of contributory homicide every time a fighter dies in the ring.

I urge every decent thinking fight fan in America, everyone who ever shelled out a few bucks to take in a fight, anyone who ever considers himself enough of a fight fan to listen to the bouts over the radio or watch them on television, to immediately get into this much more important fight to guarantee that tomorrow and the day after there won't be a new Talmadge Bussey tragedy, another Enrico Bertola killed, another Jimmy Doyle and Glen Newton Smith and Sam Baroudi sent to their deaths in the name of "sport."

As a starter, I would suggest fans in every state of the Union wire and write their Athletic Commissions, demanding that the following steps be immediately taken to halt the fearful rise of boxing fatalities.

1) Use of the electro-encephalograph machine as part of regular Athletic Commission checkups. The machine can determine the condition of the brain tissues and is a vital in revealing whether fighters who've taken one or more severe head beatings are running new risks by being allowed to reenter the ring.

2) All licensed fighters to receive thorough medical checkups, encephalograph, blood counts, the works, EVERY SIX MONTHS.

3) Fully staffed Medical Board attached to each Athletic Commission, fully equipped and fully manned to carry out the periodic checkups on ALL fighters in their areas.

4) Immediate use of the encephalograph on any fighter kayoed, regardless of whether he was knocked out with a punch to the head or whether he was flattened by a body-blow. Very often head concussions are brought about not by the punch itself, but a fighter's head striking the canvass floor.

5) Any fighter being found to suffer from concussion is to be immediately banned from ever again entering the pro ring.

6) Ring floors to be heavily padded according to determined regulations, and the installation of such protective padding and regular checkup on the wear and tear to be made compulsory in every fight club in the land. Violators of this regulation to be barred from promoting, fight clubs shut down.

7) No fighter to be allowed to box more than once every two weeks. The sordid ring game is loaded with cases of clubfighters who are sent into the ring sometimes as often as three times in one week. It is not long before such boxers are sitting ducks for serious injuries.

8) Two doctors assigned to every fight club to check on condition of boxers taking beatings, to guarantee that seconds and handlers don't administer drugs to revive fighter. In other words, putting teeth into Dr. Milton's proposal.

9) Taking of a nine-count made compulsory.

10) No fighter to be allowed to be knocked down more than three times in entire fight, no more than twice in the same round, without the fight being stopped.

11) The work of referees subject to constant review and checks. There are too many refs operating who have a notorious



history of allowing beaten fighters to continue taking it.

12) Careful and periodic check on all people applying for licenses, old or new, as managers, and seconds and trainers. Licenses refused or revoked in all cases where abuses have been discovered or background of persons makes them suspect.

13) Fighters forced to retire on their 30th birthday. ALL fighters, champs, and clubfighters alike.

**OKAY, FIGHT FANS.** Now it's up to you. Get busy with those letters and wires to your respective State Athletic Commissions. Urge the enforcement of such steps or else demand the outlawing of professional prizefighting. But get busy on it NOW.

Don't be, by your own negligence, an accomplice to these shocking crimes!

## Kingsmen Underdogs

For the first time in many years night under the Ebbets Field lights. Brooklyn College's football squad will be cast in the role of a slight underdog when the Kingsmen renew their traditional intracity rivalry with City College tomorrow night under the Ebbets Field lights.

With Rosenfeld out of action, the burden of the Kingsmen's running attack will fall upon halfbacks Jerry Edwards and Nick Gaglio.

ENJOY A WEEKEND WITH

**The Worker**

(staff, that is!)



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No advertisement will be accepted for insertion in the Daily Worker or The Worker whose accommodations or services are not available to everyone, regardless of color or creed.

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YOUNG WOMAN wanted share 3 room apt. Manhattan. Write Box 507, Daily Worker.

### APARTMENT TO SUBLET

35TH ST., 25-08. Sublet, 5 rooms, furnished, cold, cheap, to May 1st. After 5 p.m. BMT to 25th Ave., Astoria.

### APARTMENT WANTED

BUSINESS woman needs 3-4 rm., furn. apt. in clean, quiet house and neighborhood, \$40-150. OR 5-0060, Ext. 13, 9-5.

### FURNISHED ROOM FOR RENT

(Brooklyn)  
SHAKESPEARE AVE., 1215' (165th St.). Furnished room, no cooking.

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EXP. SECRETARY wishes work 3 nights, Sat. OR 5-0060, Ext. 13, 9-5.

### FOR SALE

(Bungalow)

BUNGALOW, completely furnished, 4 rooms, 2 porches, modern, reasonable. Hopalong Heights, New Jersey. KI 3-1676.

### (Flatware)

SILVER-PLATED flatware, 32-piece service for 8, rated Best Buy by Independent Consumer Research Organ. Reg. \$66.50. Special 30% saving with ad. Standard Brand Dist., 143 Fourth Ave. (14th St.). GR 3-7819.

### (Furniture)

MODERN furniture, built to order. Oak, walnut, mahogany. Cabinet, 54 E. 11th St. OR 3-3191—9-5:30 p.m. daily; 9-4:30 p.m. Saturday.

### (Used Carpets)

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For the Daily Worker: Previous day at 1; for Monday's issue - Friday at 3 P.M.

For The (weekend) Worker: Previous Wednesday at 4 P.M.



# The Communist Trial

By George Marlon

(Continued from Page 6)  
he laid down his line for the conduct of the trial.

The prosecution had explained its "cutthroat bands" theory of Communism, and the defense proposed to refute that description by showing what the defendants actually taught and did every minute of the period during which they were alleged to have been engaged in such melodramatic shenanigans. But even while Eugene Dennis, Secretary of the Communist Party, acting as his own counsel, was formulating his projected defense, Judge Medina interrupted to say:

"I don't see how, Mr. Dennis, to disprove a charge of conspiring to teach and advocate the overthrow of the United States government by force and violence, it is going to be relevant for the defendants to show what very good boys they were in some other respects."

ONE NEED NOT be a lawyer to know that Judge Medina has here made a very improper comment in the presence of the jury. And without being a lawyer, one may safely say that the learned Judge has embodied some very bad law, as lawyers put it, in his comment. For it is the very a-b-c of common justice, that a defendant does not have to disprove charges; the burden of proof is on the prosecution. It is true that Dennis is offering to prove something, but he is not accepting any obligation to disprove the charge. Judge Medina is no novice; he is well aware that he is giving the jury a misleading impression of Dennis' offer.

This is the real point: the prosecution, in order to prove the charges, has indicated what kind of evidence it plans to offer—cloak-and-dagger stuff. Now the defense states that it proposes to discredit that evidence, to discredit the kind of case offered by the government, by showing that Communist principles and practices have nothing in common with cloak-and-dagger conspiracy. Surely that is not at all the same as undertaking to disprove the charge!

DENNIS told the jury that the defendants would show that their lifelong activities, teachings, the whole way of life had and could have—in full context—only one meaning: to show the American people that the Communist way was the right way. It was not a matter of winning the sympathies of the jury for Communist theory, but of proving that the defendants had sought only to persuade the people of the United States that they—the majority—should correct certain fundamental evils (war, economic crises, Jimcrow) which Communist theory attributes to capitalism itself and contends can only be eliminated by the adoption of Socialism.

In sum, the defendants say they wish to offer proof that they sought only to convince the American people by fair argument. That would seem an entirely reasonable way of defending themselves against the accusation of planning to coerce the American people. It would seem the only logical way of answering the accusation that they planned to force the people into Communism with the help of the Red Army.

But Medina said "No!" and "No!" again. Breaking into Dennis' outline of the defense proposal to describe actual Communist work, he remarked with heavy sarcasm: "I don't think you'll get around to that." And he made it his business to see that they did not "get around to that" without fighting every

inch of the way. Thus he assured a trial fantastic beyond precedent.

THE MOMENT the actual taking of testimony started, the Alice in Wonderland character of this conduct came to the surface. For the government witnesses, starting with Number One, were permitted to picture activities in the Communist Party to suit the needs of the prosecution, but the defense was not permitted to reply at all!

Budenz, for example, spent five full days and a part of a sixth under direct examination. Having been in the Communist Party for years, he described his life and activities there a la Russell Porter and the FBI. He testified, specifically, that as editor of the more or less official party newspaper, the Daily Worker, he had taught and advocated the violent and forcible overthrow of the United States Government in the course of his editorial work. Now watch what happens when the defense tries to refute this.

The defense proposed to prove that Budenz was a common liar, or perhaps an uncommon perjurer. To this end, it presented the articles Budenz himself had written for the Daily Worker during his years in the party. Seeking to force his admission that not one article, not one sentence, not one phrase counseled coercion of the American people—force and violence—the defense offered the articles in evidence. But the Court said these articles—a series on Socialism, by the way—were irrelevant precisely because they contained nothing about force and violence! They were inadmissible, Medina held, because they were exclusively concerned with labor problems, Jimcrow, the fight for peace, and other legitimate political activities.

Why, yes! That is exactly the point. The chief government witness is unable to show a single line that appeared in the Daily Worker while he was its editor, representing something other than legitimate political activity. But Medina says this is inadmissible. To evade the real point, and to make it appear that the defense is offering only certain carefully selected parts of the paper, he put these rhetorical questions to the witness:

"I suppose, Mr. Budenz, that in any one of these periods it was not the fact that every article in the Daily Worker from page one to the end had something about overthrowing the State by force and violence?"

"No, sir."

"There must be plenty of parts of the Daily Worker that had nothing to do with these issues?"

This is infamous! The record is inescapable: it is not true that the defense selected parts of the Daily Worker, parts suitable for its purpose. In question after question, the defense gave Budenz the whole range of the paper during his editorship.

Why did the Court permit Budenz to testify that he advocated force and violence in the pages of the Daily Worker? Surely, if he did so, the best and only trustworthy evidence would have been the guilty articles themselves. Had any such article existed, the government would certainly have produced it in evidence.

The Court, in all fairness, should have required the introduction of such articles before permitting the prosecution to question Budenz on this subject. But the Court did not limit the prosecution or the witness in any way.

SO NOW it is up to the defense to show the inherent dishonesty of this procedure. The lawyers therefore invite Budenz to cite any example he pleases of the advocacy of force and violence, in any part of any issue of the Daily Worker. His memory fails; his replies are vague and evasive. So the defense next proposes to introduce Budenz' writings, one by one, but here the Court interposes barriers.

The lawyers fight for their rights, however, producing the Budenz' series on Socialism. They wish to give him a chance to look at each one and show which, if any, constitutes or contains the advocacy of force and violence to which he has testified. How else is the jury to decide whether it agrees with this witness' judgment of what constitutes the advocacy of force and violence? How else is the jury to decide whether he is an honest man or a barefaced liar? How else is the jury to fulfill its sworn duty, a duty it cannot delegate to the witness or to the Court, a duty that belongs to the jury alone: the duty of judging the facts in the case?

Yet now the Court rules that the articles are inadmissible. It forbids the jury to read them! It refuses to let the defense confront the witness with his own writings that contradict his testimony. And not content with that, Judge Medina brazenly misrepresents to the jury the nature of the defense offer!

JUDGE MEDINA did not stop there. He elaborated an argument that had this effect: if, in fact, there were not one word ever written or published by the defendants to sustain the charges made by the government witnesses, then nothing the defendants wrote or published was admissible in their own defense! If, in fact, every word ever written or published or spoken by the defendants, appears in the context of lawful criticism of existing evils; if the defendants dealt only with the oppression of labor, the subversion of democracy by Wall Street, the race discrimination imbedded in our national life, then their words were doubly inadmissible!

Medina never relented. He stubbornly maintained that he was only insisting on "a prosecution of these defendants, not of America as a whole." He would admit competent documents. Every document offered, however, was rejected until defense attorney Richard Cladstein announced that under the Court's rules there was nothing further the defense could submit.

"Of course," he said, "if the only article I can show you is one which shows force and violence, I will never produce such an article because none was written."

And so a conviction in this remarkable case was assured. War and Fascism are out of the case. Jimcrow is out. The jury is not to hear what Communists speak, write, or think. It is to hear nothing other than cloak-and-dagger stuff as presented by the government. It is to hear what prosecution witnesses say Communists speak, write and think.

But there is no stopping here. Once you take this path, there is no halt—short of shock treatments—this side of the madhouse. To be consistent, therefore, the government now supplied a legal "theory" to justify the procedure adopted, a "theory" worthy of the institution in which this trial seems bound to end.

More on Budenz tomorrow and on the prosecution's cloak-and-dagger theory.

## RADIO

WMCA — 570 kc.	WINS — 1010 kc.	WEN — 1050 kc.
WNBC — 680 kc.	WEVD — 1320 kc.	WENY — 1480 kc.
WOR — 710 kc.	WCBS — 880 kc.	WOV — 1290 kc.
WJZ — 770 kc.	WNEW — 1130 kc.	WQXR — 1500 kc.
WNYC — 830 kc.	WLIB — 1190 kc.	

### AFTERNOON

- 12:00-WNBC—News Roundup
- WOR—Kata Smith
- WJZ—Houseparty
- WCBS—Wendy Warren
- WQXR—News; Luncheon Concert
- WNYC—Midday Symphony
- 1:15-WJZ—Aunt Jenny
- WNBC—Norman Brokenshire
- 12:30-WOR—News
- WJZ—News; Herb Sheldon
- WCBS—Helen Trent
- 1:45-WCBS—Our Gal Sunday
- 1:00-WNBC—Mary Margaret McBride
- WOR—Luncheon at Sardi's
- WJZ—Baukhage Talking
- WCBS—Big Sister
- WNYC—Chamber Music Time
- WQXR—News; Midday Symphony
- 1:15-WJZ—Nancy Craig
- WCBS—Ma Perkins
- 1:30-WCBS—Young Dr. Malone
- 1:45-WCBS—Guiding Light
- 2:00-WNBC—Double or Nothing
- WOR—Queen For a Day
- WJZ—Breakfast in Hollywood
- WNYC—Student Opinion
- WCBS—Second Mrs. Burton
- WQXR—News; Pop Concert
- 2:15-WCBS—Perry Mason
- 2:30-WNBC—Today's Children
- WOR—Second Honeymoon
- WCBS—Norm Drake
- WJZ—Bride and Groom
- WQXR—Curtain at 2:30
- 1:45-WNBC—Light of World
- WCBS—The Brighter Day
- WQXR—Home Music Quiz
- 2:00-WNBC—Life Can Be Beautiful
- WOR—Answer Man
- WJZ—Talk Your Way Out
- WCBS—David Harum
- WQXR—Symphonic Matinee
- 2:15-WNBC—Road of Life
- WCBS—Hilltop House
- 2:30-WNBC—Pepper Young
- WOR—Happiness Exchange
- WJZ—Ladies Be Seated
- WCBS—Gary Moore Show
- 2:45-WNBC—Right to Happiness
- 2:00-WNBC—Backstage Wife
- WOR—Barbara Welles
- WJZ—Galen Drake
- WNYC—Disk Date
- 4:15-WNBC—Stella Dallas
- 4:30-WNBC—Lorenzo Jones
- WOR—Prince Charming Show
- WCBS—News, Music
- WJZ—Melody Promenade
- 4:45-WNBC—Young Wilder Brown
- WJZ—Felt Barnum
- 4:30-WNBC—When a Girl Marries
- WOR—B. B. & B. Ranch
- WJZ—The Yukon Sketch
- WCBS—Galen Drake
- WQXR—News; Today in Music
- WNYC—Sunset Serenade
- 5:15-WNBC—Portia Faces Life
- WQXR—Record Review
- 5:30-WNBC—Just Plain Bill
- WOR—Curley Bradley Show
- WJZ—Jack Armstrong
- WCBS—Hits and Misses
- WQXR—Temple Emancipator
- 5:45-WNBC—Front Page Farrell

### EVENING

- 6:00-WNBC—Kenneth Banghart
- WOR—Lyla Van
- WJZ—Joe Sauer
- WCBS—Eric Sevareid, News
- WQXR—News; Music to Remember
- 6:15-WNBC—Sports
- WOR—On the Century
- WJZ—Allen Prescott
- WCBS—Political Talk

### RADIO HIGHLIGHTS

Friday, Nov. 4

12:30—Noon, Communist Party. Elizabeth Gurley Flynn. WMCA.

PM

8:30—ALP. Paul Ross. WMCA.  
10:45—Communist Party. Howard Johnson, Joseph Statobin. WMCA.

6:30-WNBC—Wayne Nowell Show

WJZ—News; Sports

WCBS—Curt Massey

WNYC—Sports

WQXR—Dinner Concert

6:45-WNBC—Three Star Extra

WJZ—Sammy Kaye

WOR—Stan Lomax

WCBS—Fulton Oursler

WNYC—Weather; UN News

7:00-WNBC—Sinatra, Songs

WOR—Fulton Lewis Jr.

WJZ—Political Talk

WCBS—Beulah Show

WNYC—Masterwork Hour

WQXR—News, Keyboard Artists

7:15-WNBC—News of the World

WQXR—On Stage

WOR—Answer Man

WJZ—Political Talk

7:30-WNBC—Political Talk

WOR—Political Talk

WCBS—Club 15—Variety

WJZ—Lone Ranger

WQXR—Jacques Fray

7:45-WNBC—H. V. Kaltenborn

WOR—I Love a Mystery

WCBS—Edward Murrows

8:00-WNBC—Henry Morgan Show

WJZ—Pat Man

WOR—Russ Morgan Show

WCBS—The Goldbergs, Play

WQXR—News; Symphony Hall

8:30-WNBC—We the People

WOR—International Airport

WJZ—FBI, Sketch

WNYC—Julliard Concert

WCBS—My Favorite Husband

WMCA—American Labor Party; Paul Ross

9:00-WNBC—Life of Riley, Comedy

WJZ—Oma & Harriet

WOR—Box 13, Sketch

WCBS—Joan Davis

WQXR—News, Concert Hall

9:05-WMCA—Hal Simon

9:30-WNBC—Meet the Press

WJZ—The Sheriff

WNYC—Jimmy Durante

WQXR—Let's Celebrate

WCBS—To Be Announced

9:45-WQXR—Political Talk

10:00-WNBC—To Be Announced

WJZ—Boxing Bout

WCBS—Young Love, Sketch

WQXR—News; Night 12—Latin America

WOR—Political Talk

10:30-WNBC—Sports

WOR—Symphonette

WJZ—Sports

WQXR—Melodies of Old Times

WCBS—Political Talk

## MOVIE GUIDE

### •• Excellent

ALEXANDER NEVSKY. Revival of the great Eisenstein film. Manhattan—Stanley.

HAMLET. Laurence Olivier's widely praised version of the Shakespeare play. Manhattan—Park Avenue Theatre.

L'AFFAIRE BLUM. A German film about an attempted frame-up which is particularly relevant today. Manhattan—World.

THE HEIRESS. William Wyler's fine screen treatment of the James novel, Washington Square, with intelligent performances by Olivia de Havilland and Montgomery Clift. Not recommended at the Music Hall whose stage show includes a chauvinist skit.

THE MUSEUM OF MODERN ART FILM LIBRARY. Two Tars with Laurel and Hardy, and The Navigator with Buster Keaton.

WHAT'S HAPPENING IN HARLEM. The Ben Davis Election campaign film, a powerful expose of Harlem conditions. Manhattan—nightly at street corner meetings. Available for indoor club and union meetings through Contemporary Films, 80 Fifth Ave. or ALP headquarters, 315 Lenox Ave.

### • Good

DEAD OF NIGHT. An exciting British melodrama, with Michael Redgrave and Googie Withers. Manhattan—85 St. Trans-Lux.

DEDEE. A French film about the habits of an Antwerp waterfront cafe. Manhattan—Riviera.

DEVIL IN THE FLESH. A tragic story of two young lovers in rebellion against middle-class conventions. Manhattan—Paris Theatre.

EVERYBODY DOES IT. Paul Douglas as a wrecking contractor who suddenly finds he has a magnificent baritone voice. Manhattan—Roxey.

IN THE GOOD OLD SUMMERTIME. Judy Garland in fine form in a musical version of The Shop Around the Corner. Manhattan—Loew's 42 St., Selwyn, Dale. Brooklyn—Loew's Warwick, Loew's Bay Ridge. Bronx—Loew's American, Loew's Grand, Loew's 167 St., Loew's Post Road.

JOLSON SINGS AGAIN. Larry Parks' presence and Al Jolson's voice make another fine musical. Manhattan—Loew's State.

MONSIEUR VINCENT. A frequently moving, imaginatively filmed story of a 17th century priest-reformer. Manhattan—65 St. Playhouse, Thalia. Brooklyn—Vogue. Bronx—Lido.

QUARTET. Shallow, but witty and polished stories of Somerset Maugham. Manhattan—Sutton.

RED SHOES. Distinguished by a fine ballet sequence. Manhattan—Bijou.

THE WINDOW. An exciting melodrama about a boy who sees a murder committed. Manhattan—52 St. Trans-Lux, Greenwich, Midtown, Alpine. Brooklyn—Carroll, Granada, Rialto, Oceana, Coliseum.

### Skip

TOKIO JOE. Bogart says Japanese fascists and Communists are in cahoots.







The Art Galleries:

# Ben Shahn's Rewarding Exhibit at Downtown Gallery

By Charles Corwin

THE EXHIBITION of recent paintings and drawings by Ben Shahn at the Downtown Gallery is a rewarding experience. Shahn has always considered art as a medium for the communication of ideas and his ideas have always been progressive. He is one of our finest artists and one of our best social painters. As a mural and easel painter, as a designer of posters, pamphlets and leaflets, he has already left a deep imprint on American art, and his influence upon younger social and even non-social painters is constantly increasing.

IN THIS LATEST SHOW Shahn reveals himself again as an artist who through his own sensitivity can make us realize the truth

and meaning of either a tragic event like a mine disaster or the happy summer interlude of a watermelon feast, the horror of Negro discrimination or the wry humor of vanity, by bringing together the most contrasting and unexpected elements of reality: earthly humor with flowery poetry, devastation with emblems of hope, the workaday world with gay fantasy.

Nocturne, a typical painting in tempera, is an example of this interplay of disparate elements. Here Shahn pictures two husky men singing with open-mouthed gusto against a background of delicately patterned leaves and tree branches. The park bench, the working class garb, and the singers' bridgework are as real as today's headlines. Most of us keep them in mental pigeonholes widely separated from poetry and what we

usually call beauty. Yet Shahn, in combining them, restores a wholeness which is lacking in our lives, where beauty is linked only with the refined and aristocratic. Similarly in another painting of a huge mass of twisted wreckage, he focuses our attention on the single contrasting note of a child's new tricycle, tiny but unmistakable in its suggestion of that humanity which persists in the face of calamity.

ALTHOUGH SHAHN'S art is less the fruit of casual observation than of a search for images embodying a deeply human outlook, his pictures have the force of immediate documents. This is probably due in part to the meticulous care with which he fixes every detail of a brick wall. It is also the product of his photographically practiced eye, so skillful in discerning the split-second gesture or expression which is most telling.

Yet these qualities in themselves would not produce the powerful effect which his paintings have were it not for his ability to condense his forms into linear schemes which seem to have a life of their own. We come away from his paintings with new and unforgettable images impressed on our minds.

The immense expressiveness of his line alone is best demonstrated in the largest canvas where the empty chairs and music stands of an orchestra make a graph of rising and falling movement perfectly explaining its title, *Silent Music*.

IT SHOULD be noted that here, as in most of Shahn's easel painting, the further he moves from the immediate problem of mass communication, as in his murals or the

Sacco-Vanzetti tempera series, the less precise are his meanings. His intention becomes vaguer and his statement more direct. His painting has become richer in texture, yet especially in his variegated backgrounds does it set up discordant notes, dissipating the simple and taut expression of the theme. This apparent interest in the elaboration of paint surface for its own sake seems to contradict rather than reinforce the stark reality of his vision.

Nonetheless, there are many memorable pictures of the show, the poignant slum scene, *Sound in the Mulberry Trees*; the bleak tragedy of *Miners' Wives*; and others already mentioned. Shahn is a social artist of the first rank, one who continues to produce in this vein even in such difficult times, and one who continues to grow in stature.

## Books: Jack Belden's 'China Shakes the World'

# The People Who Made China's Revolution

By David Carpenter

WHEN JACK BELDEN writes about the people of China, as he does in most of the pages of *China Shakes the World*, he gives his readers a vivid picture of the people in the magnificent revolution

## CHINA SHAKES THE WORLD.

By Jack Belden. 524 pp. New York. \$5.

led by the Communists to free that great nation from the oppression and corruption of Chiang Kai-shek, the stooge of American imperialism. But when Belden seeks to explain the political forces involved, or when he tries to make predictions, he displays the political immaturity of so many well-meaning liberals.

In the winter of 1947 Belden had the great opportunity of going to the liberated areas of China and observing for many months without interference the activities of the people. He lived with the peasants, with the rank-and-file soldiers of the Communist-led 8th Route Army. He talked with them. He watched them in war. He saw them reorganizing their lives collectively.

The result is an overwhelming mass of evidence to show why the Communists were able to lead the Chinese people to victory over Chinese reaction and terror. Belden shows most clearly how and why the ordinary people of China love the Communists and hate Chiang Kai-shek and the other agents of American imperialism.

In *China Shakes the World*, Belden tells the stories of peasants, farmers, workers, intellectuals, students, who all remade themselves in order that they might destroy the power of their oppressors and construct the Chinese People's Republic (which had not yet been formed when this book was published).

He describes how guerilla bands and militia groups were organized by the peasants under the leadership of the Communists to fight the landlords and Chiang Kai-shek. He explains how the farmers expropriated the land of the large landlords and redivided them democratically.

IN THRILLING STORIES, he pictures for his readers the organization of the women to free themselves from the feudal bonds of Chinese society which provided for their double exploitation. He shows how the Communists brought with them the realities of a genuine democracy for the people in the midst of revolution and liberation.

Belden's presentation of the facts about the terror and brutality of Chiang Kai-shek and his gangsters makes it clear why so many thousands of China's students, intellectuals and workers left the cities while they were still controlled by



MAO TSE-TUNG  
Leader of the great Chinese Communist Party

Chiang, to join the Communists. It also explains why Chiang's armies surrendered so often to the People's Liberation Army without fighting. And it demonstrates why the people in the liberated cities

welcomed the Communist-led armies.

BELDEN KNOCKS into a cocked hat the present contention of the American imperialists that Roosevelt surrendered China to

the Communists, when the Soviet Army entered Manchuria to give the final blow to the Japanese imperialists and thereby save the lives of thousands of American soldiers. He first proves by first-hand evidence that it was the people of Manchuria who defeated Chiang and his henchmen in a revolution against their terror and oppression. Then Belden goes on to show that Manchuria itself was not the key to Chiang's defeat in the rest of China, by far the largest portion of that nation.

He shows how Chiang, unable to defeat the people under the leadership of the Communists, resorted to terror and intrigue in an effort to destroy the morale of the people. One incident in his book demonstrates the long-standing aid of the American imperialists in this activity. He writes:

"Carrying credentials written on silk, American-made pistols and gold bars for spending money, the agents filtered across the lines generally disguised as merchants. One such group, headed by two graduates of an American OSS wartime training school in Honan, having crossed the lines into Tsining, took up quarters in a house of prostitution and set out to assassinate General Yang Yun, commander of an 8th Route Army column."

BELDEN PROVES most conclusively that the Chinese Communist Party is the very core of the

Chinese people, that the Communists are dedicated to the salvation of the people, that they are the most devoted and most self-sacrificing servants of the people.

But he goes off the beam when he tries to explain the political motives of the Communist Party and when he seeks to predict the future of China. He is led astray by his own prejudices and predilections.

Belden is a liberal. He hates the fascist tendencies now being demonstrated by the Truman Administration. He feels that our cold war foreign policy is all wrong. In China, he believes that the Communists have carried through a program corresponding to the needs of the people.

But he is deluded by Bernard de Jouvenal's medieval theory about power and its corrupting influence. This leads him to fallacious conclusions about the future of the Chinese Communist leadership, which are not borne out by his own report on the character of this leadership.

Also because of his desire to mold the future of the new China according to his own conceptions, he distorts the position of Mao Tse-tung and the other Communist leaders. He tries to make them appear to be only bourgeois nationalists carrying on an agrarian revolution, instead of a socialist revolution in which the working-class plays the dominant role.

He gives further currency to the lies spread by capitalist propagandists and their social-democratic stooges about the relations of the Soviet Union to Chiang Kai-shek and the Chinese Communists. And he speculates about the attitude of the Chinese Communists to the Soviet Union.

But here too his speculations are belied by his own report. Early in his book, Belden tells how, in 1943, Mao Tse-tung had recommended a period of re-education for all party members, known as the *Cheng Feng* (Correct Wind) Movement.

Belden then relates a conversation he had with a Chinese Communist army leader, who explained this to him. The army leader told Belden: "We also studied the American Communist Party so we would avoid their mistakes."

When asked by Belden if that meant study of the Jacques Duclos article criticizing the policies of Earl Browder, the army leader replied: "Yes, that's what we studied. From it we learned the dangers of an incorrect party policy."

That little conversation should have made Belden understand that there was no hope for bourgeois nationalism or revisionism in the Chinese Communist Party.

## Around the Dial:

# NBC Picks Up Broadway Flop For Sunday's Theatre Guild

By Bob Lauter

NBC HAS announced that next Sunday's Theatre Guild on the Air (8:30-9:30 p.m.) will feature Tyrone Power, who has recently returned from movie-making in Europe, in a radio version of the Herman Wouk play, *The Traitor*.

Billed as a "melodrama of contemporary espionage and treason," *The Traitor* is nothing but red-baiting junk. Its resurrection by the Theatre Guild on the Air indicates that the networks have no compunctions about scraping the bottom of the barrel for anti-Communist material.

The play told of a young physicist who gave away top atomic secrets to "Communist agents" because he believed that possession of the atom bomb by the Soviet Union would help the cause of peace. Coming after the revelation that the Soviet Union does possess the atom bomb, that one would think that the last thin prop had been knocked from under the flimsy structure of this melodrama.

Instead, we are told by NBC that the play "received highly fa-



O. JOHN ROGGE

vorable reviews." NBC also offered quotes from the reviews.

NBC, however, omitted one important fact. *The Traitor* was a complete flop on Broadway. The public refused to bite. And the play's backers lost their entire investment.

O. JOHN ROGGE's recent book, *Our Vanishing Civil Lib-*

ties, will be up for public discussion on WJGM's *Books on Trial*, Tuesday, Nov. 8, 8 p.m.

According to the established format of the program, Rogge will open with a statement outlining the aims of his book. Speaking in defense of the book will be Ted O. Thackrey, editor of *The Compass*. Victor Reisel will act in the role of prosecutor (a tribute to the book!), and a three-cornered discussion will follow.

This program should make good listening for the thousands who will be awaiting the later election returns.

THIS FRIDAY, Nov. 4, WOR-Mutual's *Meet the Press* will have as its guest Dr. V. K. Wellington Koo, Chinese Ambassador to the United States, whose aerial press conference will probably be devoted to a discussion of Communism in Asia.

Although the advance notices tell us that Dr. Koo is the Chinese Ambassador, they fail to answer one important question: Just what is Dr. Koo the Chinese Ambassador of?



## CIO RIGHTWING SCORED FOR YIELDING ON NEGRO RIGHTS

(Continued from Page 6)

would require all delegates to boycott hotels where Negroes are barred.

Willard Townsend, of the Transport Service Workers, a henchman of Murray among the few Negro delegates here, said he felt "a vast amount of satisfaction" in the CIO's anti-Communist intolerance resolutions enacted yesterday, but he added he was "greatly disturbed" over the possibility that the left would win the Negro unionists because of racial intolerance. He was worried over the "Negro-labor committees being formed everywhere."

He also denounced Paul Robeson and Ben Davis as a "convicted traitor," and to express praise for the mobsters at Peekskill as "not against the Negro people." He said "rioting was a total rejection of Communism."

### T-H REPEAL

On the resolution for repeal of the Taft-Hartley Law, James Durkin, president of the Office Workers, hit back at attacks of CIO chief counsel Arthur Goldberg who called the mass mobilization efforts of the left unions "sabotage" of the CIO's repeal fight.

"Our members do not think that the Truman administration really wants to repeal the Taft-Hartley Act," said Durkin, citing the record.

One of the resolutions unanimously passed extended full support to the striking coal miners.

Hazy Bridges hit the deck today again, this time with a denunciation of imperialism and the policies flowing from the Marshall Plan. It was Baldanzi, whom the rightwing put forward to answer him with an hysterical outburst against the Soviet Union.

Bridges said that anti-Sovietism is the means used by reactionaries to cover up their own imperialist policies.

Bridges said the pro-Marshall Plan resolution had not a single

word of criticism of British imperialism.

The reason the British are constantly short of dollars, said Bridges, is that the wealth of the British government is being used up in putting down colonial revolts. He said France was also being dissipated in a struggle against the people of Indo-China and with the Dutch oppression in India.

The colonial people, he said, "are marching and they will keep on marching. The question for us is whether we will be with them."

In China, he said, the people revolted against poverty and slavery. "The truth is nobody did anything about it before the Communists came along."

Bridges declared trade with China could keep American industries going for 20 years.

Taking up the many demagogic statement of Baldanzi who, under pressure of Bridges' arguments, claimed the CIO was critical on some aspects, Abe Fineglass, of the Fur and Leather Workers, contended that he didn't see any of these alleged criticism in the resolution.

He demanded that the resolution say something "about the shooting of Greek labor leaders by the government there."

On the resolution to approve withdrawal from the World Federation of Trade Unions and affiliation with the new Marshallized international, Bridges told the delegates that his union was vitally interested in solidarity relations with dock workers all over the world. Most of the world's dock workers are members of WFTU union, he said, and he asked a right to belong to both world maritime federations.

The rightwing put forward Curran to unload a volley of foul language upon Bridges and upon the WFTU after which the resolution was passed with the usual minority against it.

# 11 Communists Win Release on Bail

(Continued from Page 3)

be made that a supplementary proceeding will take place to determine the assets of each defendant and a bond posted for this amount.

It was understood that the assets of the defendants were very small and such a bond would be negligible in amount.

But even this ruling resulted in more harassment, with all of the defendants required to return Thursday, Nov. 10, for an examination of their assets.

With this out of the way, Saypol succeeded, about an hour later, in raising another technical obstacle, requiring defense counsel to go before the court again at 4 p.m. to resolve a new question.

### MORE SPITE

Saypol had refused to accept the bail bonds on the grounds that he wanted more evidence that the Bail Fund Committee was empowered to handle them. He even went so far, it was reported, as to insist that even if the bail was put up in cash, he would still want proof that the Committee had the right to put it up.

When the attorneys reappeared before the three judges, Justice Hand asked Saypol: "You don't think these men stole these bonds?"

Saypol then asserted that the agreement entered into between the Bail Fund Committee and the contributors to the fund authorizing the bonds to be used in cases rising out of "strikes," and that this case had nothing to do with strikes.

Justice Hand pored over the agreement, and then noted that the funds were also to be used "for those whose civil rights are

threatened or under attack."

"That seems to cover this case," he added.

Hand agreed with Saypol when the prosecutor said his argument might look a bit "specious," although he went on, he wasn't trying to present such an argument. It was finally agreed that the question could be settled through producing a resolution showing that the trustees were empowered to handle the fund, a typical receipt given to a contributor, and an affidavit signed by at least three of the five trustees.

### SEEKS MORE TROUBLE

The affidavit was signed by Dunn, Field and Dr. Alpheus W. Hunton. The other two trustees, Abner Green and Dashiell Hammett, were not immediately available. But even here Saypol kept looking for picayune points, demanding a correction here, an initial there.

Rogge, former U. S. Attorney, representing Councilman Benjamin J. Davis, toward the end of the day, when notice was given of another infinitesimally small technicality required by Saypol, exclaimed to several reporters:

"This just doesn't make sense. In all my experience, this is the first time I've ever been through such a rat race. We presented U. S. Government bonds that are as good as cash and they wouldn't even take them. The proceedings today should have been called Saypol's folly."

At last, by 6:30 p.m., virtually every technicality was met and put aside (except for the slight delay because of Saypol's insistence on immediate new residences for Hall, Green and Winter) and the defendants were called one by one into the basement office of U. S. Commissioner Edward McDonald. The wives and children had been waiting in the room for more than an hour.

Dennis, tall, erect and gray-haired, strode in first, signed the bail form, went through the rest of the ritual and stepped out. In short order there followed Jack Stachel, John Williamson, Hall, Henry Winston, John Gates, Gilbert Green, Davis, Thompson, Irving Potash and Winter.

For three of them it was the first time in more than four months that they were permitted to leave freely. Hall and Winston had been held in jail at Medina's orders since June 3, Green since June 20.

### CHEERED BY HUNDREDS

As all 11 stepped out on the broad portico in front of the courthouse, a cheer welled up from the hundreds of workers who had waited throughout the day. Press flashbulbs lit up the darkened area as the 11 descended the stairs.

"Our release on bail," Dennis told reporters, "is a partial though significant victory for the American people."

"It is a prelude to the reversal of the infamous thought-control verdict in Judge Medina's court."

"It is a beginning of that unity of Negro and white Americans to achieve greater victories in defense of the Bill of Rights, peace and social progress."

The 11 were speeded off in waiting cars of friends to headquarters of the Communist Party, 35 East 12 St., where another throng waited outside to greet them. A great sign hung over the entrance: WELCOME BACK. Friends and comrades crowded into the national office on the ninth floor to join in a jubilant celebration.

### WIVES' STATEMENT

During the long all-day vigil, Mrs. Leona Thompson replied to reporters' queries: "In the name of all the wives, we thank the American people for their interest, their support and their protests which made possible the granting of bail. In combination with these facts,

we feel that the Court of Appeals had no other recourse, because of the whole constitutionality and legality of the questions involved."

The order, handed down by Justice Hand, Swan and Frank, stated:

"The prosecution, having upon argument conceded that the appeal herein raises a 'substantial question' . . . it is ordered, adjudged and decreed that pending his appeal to this court each of the above mentioned defendants will be released upon posting a bond in the sum set opposite his name."

Twenty thousand dollars each were required of Thompson, Davis, Winston, Gates, Green, Winter and Hall; \$30,000 for Dennis, Williamson, Stachel and Potash.

The release on bail climaxed a long battle both in the court and through protests from thousands of people throughout the nation. The 11, after being jailed by Medina nearly two weeks ago, spurred the fight forward themselves by announcing that they refused to consider the time being spent in jail under Medina's ruling as deductible from their total sentence.

They chose this method of protesting, not only the infringements of their own rights, but the violation of Constitutional rights affecting the liberties of all.

## Marcantonio

(Continued from Page 2)

can Women at the YWCA, 144 W. 138 St.

At the P. S. 165 meeting, where Negroes, Puerto Ricans and Jewish workers filled the small auditorium, he was introduced by James Waterman Wise, son of the late Rabbi Wise and outstanding anti-fascist lecturer and writer.

At the Local 1250 meeting, where workers of leading department stores in the city gave him a warm reception, Marcantonio blasted Mayor O'Dwyer's anti-labor record. He was the only one of the three major candidates to respond to the union's invitation to speak at the meeting.

After repeated letters and phone calls Mayor O'Dwyer and Newbold Morris finally sent messages which were coolly received.

At the Rutgers Square rally his appearance brought forth a tremendous cheer repeated three times: "Make Marc Mayor!" O'Dwyer's flopshouse relief policies was a major part of Marcantonio's speech and his denunciation of the Democratic - Republican - Liberal gangup against the democratic forces in Western Germany and their support of the bipartisan policy of rebuilding anti-Semitism and the Nazi war machine brought forth thunderous acclaim.

When he attacked Morris' submission to the bigoted machine of John Foster Dulles and the Wall Street crowd backing Morris, some of the crowd turned to the Jewish Daily Forward building on the opposite side of the square and booed lustily. The Forward carried a big election sign for Morris.

As the Marcantonio caravan sped through the city streets, paced by motorcycle escort, cheers and greetings went up from people on sidewalks, tenement steps and before store fronts.

### PETER V. CACCHIONE

beloved comrade and father who died Nov. 6, 1947

—Dorothy and Bernard

## Harlem Hails Davis

(Continued from Page 2)

turned grim, briefly, when Davis reported the 114 Street ambush.

"You know," he said, "I am still an official of the City of New York, by the grace of the people who elected me. I came to Harlem tonight, alongside the great leader of the Negro people, Paul Robeson, and we started peacefully along Lenox Avenue without any disturbance or disorder. A mob of these Cossacks rode down some of the paraders and injured some."

"We want no disorder. We are peaceful citizens. We have a right to our streets. One of the reasons why I want to get back to the Council—why I WILL get back—is to fight these brutal police methods."

"We are disciplined. We will continue to be disciplined. And if we are attacked, it is not our fault, but Flophouse Willie O'Dwyer's."

Davis called for the election of Vito Marcantonio, Paul Ross and Ewart Guinier, the American Labor Party candidates, to help end police brutality against Negroes.

The crowd had been waiting there since early afternoon, singing, listening to speeches, and "waiting for Ben." It was Davis Victory Day.

As the Daily Worker went to press, other celebrations were being prepared.

Following the meeting, Davis went to the Hotel Theresa at 125 Street for a reception, and a huge crowd gathered in front of the hotel. Shouts of "We want Ben" went up, and grew until Davis appeared on the second story balcony. Above the ovations rose the demands for a speech. Hordes of police surrounded this impromptu meeting, and the atmosphere grew

tense. But the crowd kept its discipline.

The cheers continued as Charles Collins, of the AFL Hotel and Restaurant Local 6 spoke from the balcony.

## State Dep't OKs Planes for Tito

WASHINGTON, Nov. 3.—The United States is now ready and willing to bolster Tito's air force with planes, spare parts, gasoline and lubricants, high diplomatic quarters said today.

The State Department acknowledged that the ban on selling commercial air equipment to Eastern Europe had been partially lifted so far as Yugoslavia was concerned.

Tito has not yet asked for planes. But he has "expressed an interest in" getting aviation gas, lubricants, spare parts and used motors, the department admitted. The request for gas and lubricants has been approved, officials said.

Department spokesman Michael J. McDermott said the United States has told "certain other governments" that "we would be willing to consider requests from the Yugoslavia government for civil aircraft and aviation equipment on a reasonable basis."

### Egypt Cabinet Falls

CAIRO, Nov. 3.—Premier Hussein Sirry Pasha and his four-party coalition government resigned today as result of inter-party squabbling over proposed changes in Egypt's electoral system.

## OXYGEN CUT OFF, TOT DIES; FATHER WAS ON RELIEF

DETROIT, Nov. 3.—The county prosecutor ordered a full investigation today into a father's charges that his infant son died because a private hospital suddenly stopped emergency treatment when it was learned it was a welfare case.

Charles Hislop, 22, said his baby, Steve, 8 months, was being administered oxygen. The doctor halted the treatment, Hislop said, and directed that the infant, suffering from convulsions, be taken from Delray Hospital to Children's Hospital.

The manager of Delray Hospital, Leo Martell, said the parents misunderstood.

"There was no question of turning them away," he said. "It was a question of them getting to a hospital that had better facilities as soon as possible."

Hislop also charged that a city-assigned doctor took four hours to answer his call. He telephoned the city Health Department that his child needed a doctor's attention immediately, he said. Dr. Nathan B. Jaffe answered the call but Hislop left for the hospital before he arrived.

Jaffe said his car broke down en route to the Hislop home. He was suspended temporarily from the city physician's office list.



The Art Galleries:

# Ben Shahn's Rewarding Exhibit at Downtown Gallery

By Charles Corwin

THE EXHIBITION of recent paintings and drawings by Ben Shahn at the Downtown Gallery is a rewarding experience. Shahn has always considered art as a medium for the communication of ideas and his ideas have always been progressive. He is one of our finest artists and one of our best social painters. As a mural and easel painter, as a designer of posters, pamphlets and leaflets, he has already left a deep imprint on American art, and his influence upon younger social and even non-social painters is constantly increasing.

IN THIS LATEST SHOW Shahn reveals himself again as an artist who through his own sensitivity can make us realize the truth

and meaning of either a tragic event like a mine disaster or the happy summer interlude of a watermelon feast, the horror of Negro discrimination or the wry humor of vanity, by bringing together the most contrasting and unexpected elements of reality: earthly humor with flowery poetry, devastation with emblems of hope, the workaday world with gay fantasy.

Nocturne, a typical painting in tempera, is an example of this interplay of disparate elements. Here Shahn pictures two husky men singing with open-mouthed gusto against a background of delicately patterned leaves and tree branches. The park bench, the working class garb, and the singers' bridgework are as real as today's headlines. Most of us keep them in mental pigeonholes widely separated from poetry and what we

usually call beauty. Yet Shahn, in combining them, restores a wholeness which is lacking in our lives, where beauty is linked only with the refined and aristocratic. Similarly in another painting of a huge mass of twisted wreckage, he focuses our attention on the single contrasting note of a child's new tricycle, tiny but unmistakable in its suggestion of that humanity which persists in the face of calamity.

ALTHOUGH SHAHN'S art is less the fruit of casual observation than of a search for images embodying a deeply human outlook, his pictures have the force of immediate documents. This is probably due in part to the meticulous care with which he fixes every detail of a brick wall. It is also the product of his photographically practiced eye, so skillful in discerning the split-second gesture or expression which is most telling.

Yet these qualities in themselves would not produce the powerful effect which his paintings have were it not for his ability to condense his forms into linear schemes which seem to have a life of their own. We come away from his paintings with new and unforgettable images impressed on our minds.

The immense expressiveness of his line alone is best demonstrated in the largest canvas where the empty chairs and music stands of an orchestra make a graph of rising and falling movement perfectly explaining its title, Silent Music.

IT SHOULD be noted that here, as in most of Shahn's easel painting, the further he moves from the immediate problem of mass communication, as in his murals or the

Sacco-Vanzetti tempera series, the less precise are his meanings. His intention becomes vaguer and his statement more direct. His painting has become richer in texture, yet especially in his variegated backgrounds does it set up discordant notes, dissipating the simple and taut expression of the theme. This apparent interest in the elaboration of paint surface for its own sake seems to contradict rather than reinforce the stark reality of his vision.

Nonetheless, there are many memorable pictures of the show, the poignant slum scene, Sound in the Mulberry Trees, the bleak tragedy of Miners' Wives, and others already mentioned. Shahn is a social artist of the first rank, one who continues to produce in this vein even in such difficult times, and one who continues to grow in stature.

## Books: Jack Belden's 'China Shakes the World'

# The People Who Made China's Revolution

By David Carpenter

WHEN JACK BELDEN writes about the people of China, as he does in most of the pages of *China Shakes the World*, he gives his readers a vivid picture of the people in the magnificent revolution

**CHINA SHAKES THE WORLD.**  
By Jack Belden. 524 pp. New York. \$5.

led by the Communists to free that great nation from the oppression and corruption of Chiang Kai-shek, the stooge of American imperialism. But when Belden seeks to explain the political forces involved, or when he tries to make predictions, he displays the political immaturity of so many well-meaning liberals.

In the winter of 1947 Belden had the great opportunity of going to the liberated areas of China and observing for many months without interference the activities of the people. He lived with the peasants, with the rank-and-file soldiers of the Communist-led 8th Route Army. He talked with them. He watched them in war. He saw them reorganizing their lives collectively.

The result is an overwhelming mass of evidence to show why the Communists were able to lead the Chinese people to victory over Chinese reaction and terror. Belden shows most clearly how and why the ordinary people of China love the Communists and hate Chiang Kai-shek and the other agents of American imperialism.

In *China Shakes the World*, Belden tells the stories of peasants, farmers, workers, intellectuals, students, who all remade themselves in order that they might destroy the power of their oppressors and construct the Chinese People's Republic (which had not yet been formed when this book was published).

He describes how guerilla bands and militia groups were organized by the peasants under the leadership of the Communists to fight the landlords and Chiang Kai-shek. He explains how the farmers expropriated the land of the large landlords and redivided them democratically.

IN THRILLING STORIES, he pictures for his readers the organization of the women to free themselves from the feudal bonds of Chinese society which provided for their double exploitation. He shows how the Communists brought with them the realities of a genuine democracy for the people in the midst of revolution and liberation.

Belden's presentation of the facts about the terror and brutality of Chiang Kai-shek and his gangsters makes it clear why so many thousands of China's students, intellectuals and workers left the cities while they were still controlled by



MAO TSE-TUNG  
Leader of the great Chinese Communist Party

Chiang, to join the Communists. It also explains why Chiang's armies surrendered so often to the People's Liberation Army without fighting. And it demonstrates why the people in the liberated cities

welcomed the Communist-led armies.

BELDEN KNOCKS into a cocked hat the present contention of the American imperialists that Roosevelt surrendered China to

the Communists, when the Soviet Army entered Manchuria to give the final blow to the Japanese imperialists and thereby save the lives of thousands of American soldiers. He first proves by first-hand evidence that it was the people of Manchuria who defeated Chiang and his henchmen in a revolution against their terror and oppression. Then Belden goes on to show that Manchuria itself was not the key to Chiang's defeat in the rest of China, by far the largest portion of that nation.

He shows how Chiang, unable to defeat the people under the leadership of the Communists, resorted to terror and intrigue in an effort to destroy the morale of the people. One incident in his book demonstrates the long-standing aid of the American imperialists in this activity. He writes:

"Carrying credentials written on silk, American-made pistols and gold bars for spending money, the agents filtered across the lines generally disguised as merchants. One such group, headed by two graduates of an American OSS wartime training school in Honan, having crossed the lines into Tsining, took up quarters in a house of prostitution and set out to assassinate General Yang Yun, commander of an 8th Route Army column."

BELDEN PROVES most conclusively that the Chinese Communist Party is the very core of the

Chinese people, that the Communists are dedicated to the salvation of the people, that they are the most devoted and most self-sacrificing servants of the people.

But he goes off the beam when he tries to explain the political motives of the Communist Party and when he seeks to predict the future of China. He is led astray by his own prejudices and predilections.

Belden is a liberal. He hates the fascist tendencies now being demonstrated by the Truman Administration. He feels that our cold war foreign policy is all wrong. In China, he believes that the Communists have carried through a program corresponding to the needs of the people.

But he is deluded by Bernard de Jouvenal's medieval theory about power and its corrupting influence. This leads him to fallacious conclusions about the future of the Chinese Communist leadership, which are not borne out by his own report on the character of this leadership.

Also because of his desire to mold the future of the new China according to his own conceptions, he distorts the position of Mao Tse-tung and the other Communist leaders. He tries to make them appear to be only bourgeois nationalists carrying on an agrarian revolution, instead of a socialist revolution in which the working-class plays the dominant role.

He gives further currency to the lies spread by capitalist propagandists and their social-democratic stooges about the relations of the Soviet Union to Chiang Kai-shek and the Chinese Communists. And he speculates about the attitude of the Chinese Communists to the Soviet Union.

But here too his speculations are belied by his own report. Early in his book, Belden tells how, in 1943, Mao Tse-tung had recommended a period of re-education for all party members, known as the Cheng Feng (Correct Wind) Movement.

Belden then relates a conversation he had with a Chinese Communist army leader, who explained this to him. The army leader told Belden: "We also studied the American Communist Party so we would avoid their mistakes."

When asked by Belden if that meant study of the Jacques Duclos article criticizing the policies of Earl Browder, the army leader replied: "Yes, that's what we studied. From it we learned the dangers of an incorrect party policy."

That little conversation should have made Belden understand that there was no hope for bourgeois nationalism or revisionism in the Chinese Communist Party.

## Around the Dial:

# NBC Picks Up Broadway Flop For Sunday's Theatre Guild

By Bob Lauter

NBC HAS announced that next Sunday's Theatre Guild on the Air (8:30-9:30 p.m.) will feature Tyrone Power, who has recently returned from movie-making in Europe, in a radio version of the Herman Wouk play, *The Traitor*.

Billed as a "melodrama of contemporary espionage and treason," *The Traitor* is nothing but red-baiting junk. Its resurrection by the Theatre Guild on the Air indicates that the networks have no compunctions about scraping the bottom of the barrel for anti-Communist material.

The play told of a young physicist who gave away top atomic secrets to "Communist agents" because he believed that possession of the atom bomb by the Soviet Union would help the cause of peace. Coming after the revelation that the Soviet Union does possess the atom bomb, that one would think that the last thin prop had been knocked from under the flimsy structure of this melodrama.

Instead, we are told by NBC



O. JOHN ROGGE

voable reviews." NBC also offered quotes from the reviews.

NBC, however, omitted one important fact. *The Traitor* was a complete flop on Broadway. The public refused to bite. And the play's backers lost their entire investment.

O. JOHN ROGGE'S recent book, *Our Vanishing Civil Liberties*

ties, will be up for public discussion on WGM's Books on Trial, Tuesday, Nov. 8, 8 p.m.

According to the established format of the program, Rogge will open with a statement outlining the aims of his book. Speaking in defense of the book will be Ted O. Thackeray, editor of *The Compass*. Victor Reisel will act in the role of prosecutor (a tribute to the book!), and a three-cornered discussion will follow.

This program should make good listening for the thousands who will be awaiting the later election returns.

THIS FRIDAY, Nov. 4, WOR-Mutual's Meet the Press will have as its guest Dr. V. K. Wellington Koo, Chinese Ambassador to the United States, whose aerial press conference will probably be devoted to a discussion of Communism in Asia.

Although the advance notices tell us that Dr. Koo is the Chinese Ambassador, they fail to answer one important question: Just what is Dr. Koo the Chinese Ambassador off



# How to Vote for Benjamin J. Davis

1. Voters in Manhattan's 21st Senatorial District, consisting of the 7th, 11th and 18th Assembly Districts, should push down the lever for Benjamin J. Davis on Row I first, then push down all the Row C levers that will go down. Councilman Davis is both on Row I and Row C. A vote on Row I is, however, a vote for him on the Communist Party line, and is an added expression of opposition to the persecution of Davis and his fellow Communist leaders.

2. For the rest of the city, vote a straight Row C, the American Labor Party ticket.

## '11' Win Bail

(Continued from Page 3)

immediately and that a stipulation be made that a supplementary proceeding will take place to determine the assets of each defendant and a bond posted for this amount.

It was understood that the assets of the defendants were very small and such a bond would be negligible in amount.

The Appeals Court decision, filed late Wednesday night, set bond as follows: Eugene Dennis, general secretary of the Communist Party, \$30,000; John B. Williamson, \$30,000; Jack Stachel, \$30,000; Robert G. Thompson, winner of the Distinguished Service Award, \$20,000; New York Councilman Benjamin J. Davis, Jr., \$20,000; Henry Winston, Negro veteran and organizational secretary of his party, \$20,000; John Gates, editor of the Daily Worker, \$20,000; Gilbert Green, Illinois party head, \$20,000; Irving Potash, vice-president of the CIO Furriers Union, \$30,000; Carl Winter, Michigan party leader, \$20,000; Gus Hall, Ohio party head, \$20,000.

Ten had been sentenced to five years prison and \$10,000 fine each. Thompson's sentence was three years and \$10,000 fine.

### AWAITED BY WIVES

Wives of six of the defendants waited outside the courthouse since early morning. They included Mrs. Mae Williamson, Peggy Dennis, Edna Winston, Gita Potash, Bertha Stachel, Leon Thompson and Helen Allison Winter. Mrs. Williamson was accompanied by her two-and-a-half year old son, Niel.

Speaking for the wives, Mrs. Thompson told the press:

"In the name of all the wives we thank the American people for their interest, their support and their protest which made possible the granting of bail. In combination with these facts, we feel that the Court of Appeals had no other recourse, because of the whole constitutionality and legality of the questions involved."

Dozens of workers kept milling around Foley Square anxiously seeking to learn when the 11 would be released and waiting to greet them.

A large delegation from the Furriers Joint Council came to the courthouse when it opened, and stayed there throughout the day to greet Potash as well as the other defendants.

The frame-up case began last Jan. 17, at Foley Square. The defendants had been indicted by a millionaire-controlled Grand Jury and tried before a similar trial jury for the simple "crime" of advocating and teaching ideas. The government charged no overt acts. This was a political heresy trial.

### WORDS MADE CRIME

The indictments were brought under the 1940 Smith Act which, for the first time in American history, regards "words as crimes." The judge charged the jury to that effect.

Millions of Americans know the defendants are "guilty" of nothing except opposing Wall Street and espousing peace, democracy, equal rights to the Negro people, labor unity, and a prosperous America.

## Gold, Bridges Force Praise from Enemies

The fight at the CIO convention in Cleveland of Ben Gold, president of the Fur and Leather workers, and of Harry Bridges, president of the West Coast longshoremen against Philip Murray's expulsion campaign, evoked a reluctant tribute yesterday from the SUN. The SUN reported, concerning Gold and Bridges:

"Their fighting spirit on the convention floor won the respect of even their right-wing enemies."

## Czech Priests Get Gov't Pay

PRAGUE, Nov. 3.—Priests in Czechoslovakia have begun drawing their salaries from the state under the government's new church law, the official Czech News Agency said today.

It said that 2,500,000 crowns in paychecks had been mailed since Saturday.

The Agency said that 127 priests pardoned last week by President Klement Gottwald also would receive their checks.

The newspaper Rude Pravo said, many priests had celebrated thanksgiving masses to mark the coming into effect of the church law.

## Britain Air Chief Won't Trust US To Build Planes

LONDON, Nov. 3.—Britain's air chief, Marshal of the Air Force Lord Tedder, said today he would not trust any other country to build bombers for Britain—not even America.

"I am not prepared to rely even on American skill and technical knowledge to produce the punch without which we are helpless," Tedder told a British Empire Society audience.

He made the statement as he criticized Anglo-American theorists who want Britain to concentrate on fighter production and leave the production of bombers to the United States.

Tedder at the same time warned against eventual "push-button" war.

"Push-button warfare may come in some form or another in the future, but not now and not in the immediate future," he said.

George Morris' World of Labor, a column reporting and interpreting the news in the labor movement, appears daily in the Daily Worker, and in the week-end Worker.

## Big Ford Local 600 Endorses Rev. Hill

Special to the Daily Worker

DETROIT, Nov. 3.—William Hood, recording secretary of Ford Local 600, announced yesterday that the executive board of his local, speaking for 65,000 workers, has endorsed the Rev. Charles A. Hill for City Council.

Hood spoke at a Paul Robeson rally for the election of Hill and Stanley Nowak. Robeson said: "I've got a feeling—I saw the hands go up here and at the other meeting—I've got a feeling that Hill and Nowak are in there."

The three Robeson meetings here were powerful demonstrations of support of Negro and white workers for the two progressive candidates.

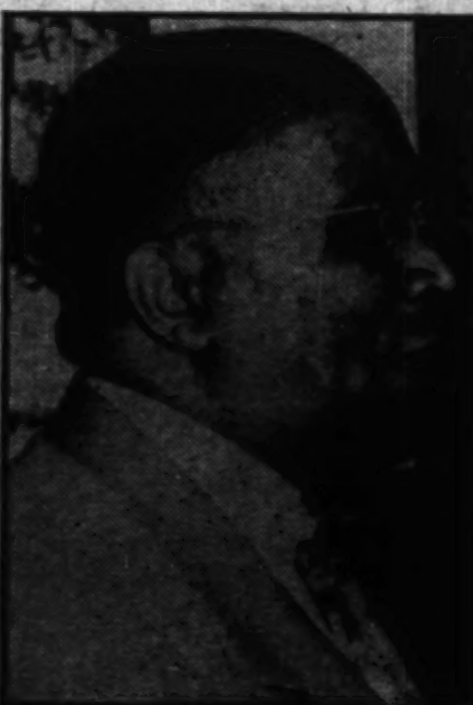
"I'm tired of second class citizenship," Hill told the cheering crowd at the Macedonian Baptist Church. "I'm entitled to all the rights anybody else gets."

### FLAYS MURRAY

Robeson bitterly attacked the action of CIO president Philip Murray in his move to split the CIO.

"It's very terrible to see Cleveland today. Have you ever seen how steel workers live? Have you ever seen such poverty? That's what Murray should be fighting," Robeson declared.

"It's about time the people stopped the reaction in the land. You've got a chance to do that here. You've got in Reverend Hill one of the finest Negro leaders in



REV. HILL

the United States right here in Detroit."

Hill denounced the present City Council "which could pass a resolution commending Judge Medina for violating all the guarantees of liberty in the Constitution for the 11 Communist leaders, but couldn't pass an FEPC law."

# Marc Dares Rivals Debate Naziism

(Continued from Page 2)

make his first election speech since the release of the 11 Communist leaders on bail from jail yesterday.

Marcantonio will speak at 8:30 p.m. tonight on 12th Street and Avenue A; at 7:40 at 77th Street and First Avenue; on WOM in an Italian language broadcast at 8:30 p.m.; at the Big Four Democratic Club, 2368 Second Avenue at 9 p.m.; at 9:20 he will speak at the Yorkville Temple, 86th Street and Lexington Avenue to the German-American Club at 9:45 p.m. to the Czechoslovakian Workers House, 347 E. 72nd St., at a sound-truck meeting on 105th St. and Second Ave. at 10 p.m. on 108th St. and Madison Ave. at 10:15 p.m. and will wind up at midnight tonight at the Mt. Parnasse, 144 Bleecker St. to the Neighborhood Youth for Marc club.

On Saturday Marcantonio will swing through the key Brooklyn districts of Brownsville and East New York where tremendous meetings have been scheduled. All through Brownsville huge leaflets and stickers proclaiming Marcantonio's challenge to his opponents to debate him on anti-Semitism have been posted.

His Saturday schedule in Brooklyn follows: 12:30 p.m., Sutter Avenue and Williams Avenue; 1 p.m., PS 109 schoolyard, Sackman Street and Dumont Avenue; 1:30 p.m. Fulton Street and Rockaway Avenue; 2 p.m., Pitkin Avenue and Hopkinson Avenue where he will probably speak to the largest outdoor rally in Brooklyn and at 2:30 p.m. at Church and Utica Avenues.

Then swinging into Manhattan and the Bronx Marcantonio will reach the peak of his campaign. Beginning at 3:30 p.m. where he speaks at Avenue D and Seventh Street, he will tour Harlem and the Bronx from 4 p.m. to midnight.

He will make five important speeches in the Bronx—at 4 p.m. at 170th Street and Walton Avenue; 4:30 p.m. at Morris and Burnside Avenues; 5 p.m. at 187th Street and Crotona Avenue; 9 p.m. at White Plains Road and 222nd Street; 9:30 p.m. at Morris Park

Avenue and White Plains Road and at 10 p.m. at Cranes Square.

A torchlight "Make Marc Mayor" parade will highlight his Bronx tour tomorrow night. The parade, sponsored by Veterans for Marcantonio, will begin from two divergent points—Cars at McKinley Square and Boston Road—Marchers at McKinley Square, 169 Street and Boston Road at 7 p.m. Both marchers and cars will converge at Cranes Square at 163 Street and Southern Boulevard where they will hear addresses by Marcantonio and Leo Isacson.

An election rally will be held today (Friday) at 8 p.m. at Herman Ritter High School, 172 Street and Boston Road, sponsored by the Furriers Joint Council Campaign Committee.

Speakers scheduled to appear are Leo Isacson, ALP candidate for Bronx Borough president; Julian Trupin, district attorney candidate; Oscar Ward city council candidate from the 26th S.D., and Mary Angie Dickerson, ALP senatorial candidate (26th S.D.).

## People's Army Speeds Into Sinkiang

NORTHWEST FRONT, SINKIANG, Nov. 3 (NCNA).—Units of the Chinese People's Liberation Army are speeding into Sinkiang Province, which borders Outer Mongolia, the USSR, Afghanistan and India. They will take over the Kuomintang Government organs in the province and reorganize the former Kuomintang troops who severed relations with the Kuomintang remnants last month.

The People's Army reached Hami, important east Sinkiang center, on Oct. 13 and is now moving westwards from there. The troops are equipped with new overcoats, fur gloves and fur coats against the cold weather. They sing as they march and the people of Sinkiang line the roadways to welcome them. At a point 10 kms. from Hami, a huge crowd of Uighurs and local citizens from the town gathered to greet them, the Uighurs bringing water-melons for the men's refreshment. As the Army marched through the streets, the citizens shouted "Long live Chairman Mao Tze-tung and the People's Republic of China!" in Han (Chinese) Uighur and other languages.

### Egypt Cabinet Falls

CAIRO, Nov. 3.—Premier Hussein Sirry Pasha and his four-party coalition government resigned today as result of inter-party squabbling over proposed changes in Egypt's electoral system.

## PETER V. CACCHIONE

beloved comrade and father who died Nov. 6, 1947  
—Dorothy and Bernard

## Stuyvesant

(Continued from Page 2)

Towns." She was referring to the law passed by the Council barring tax exemption to Jimcrow projects.

The story of other Negro guest-residents now living in the gigantic East Side project brought cheers. At first the project management refused to accept the rent of the hosts of these guests, but pressure from the committee forced acceptance.

Paul L. Ross, chairman of the Stuyvesant Town Committee and ALP candidate for Comptroller, pointed out in his talk at the meeting that O'Dwyer could have refused tax exemption to the project but refused to do so.

He added that Newbold Morris, Republican-Liberal candidate for Mayor, signed the tax exemption contract, while he was president of the City Council, although he didn't have to.

Miss Eleanor Goding, president of Local 1, United Public Workers, chaired the meeting.

Nathan Lampert, a Stuyvesant tenant, also spoke.



By Elizabeth Gurley Flynn

I RECEIVE a lot of letters. Most of them are really heart-warming. Take as a sample, one from a small town in Oregon, from a woodworker. I took it with me to show Bill Foster when I visited him last week. I know he too has a soft spot in his heart for that beautiful state in the Northwest.

Here it is:

"Have spent several hours tonight protesting the verdict of 'Guilty' in 'Trial' of 11 top Communists. Have written asking for protests from some 3 IWA (International Woodworkers Association) locals and several Farmers Union Locals. While I am not a Party member, I believe I'll join, and am now calling on others to do likewise. Print this, name and all."

No, Tom, I'm not printing your name and address for the FBI to pester you. But good luck to you in your recruiting campaign.

In another mail comes a signed postcard from a student in Los Angeles: "This card is a token of my appreciation for all that was fought for by these gallant men.—I am neither a Communist nor a Marxist but I intend to stand up with those leaders for Peace, Freedom and Socialism."

Another man sends me a postcard from Miami, asking me where

to send his contribution to their defense.

This determination of American people to speak their minds indicates their indignation at the infamous verdict which they realize hits at their rights too.

LAST SUNDAY, Pettis Ferry and I journeyed to Boston to speak at a "Defend Democracy Meeting" in honor of Otis Hood, Communist candidate for School Committee. The meeting, at Ruggles Hall in Roxbury (where Henry Winston spoke last spring when certain councilmen tried to stop his meeting) filled the hall to capacity.

It was preceded by a parade of the Labor Youth League with Otis riding in an open car. Throughout the area he was received with great enthusiasm.

In the early evening some hoodlums cut an electric wire on the side of the building, thinking they were cutting the lights apparently. Instead, it pulled a burglar alarm and brought four police cars pronto. No more was seen of those badly scared hoodlums.

The meeting was a most spirited one. More than \$1,000 collection was collected up and a check for \$3,000 was presented to Perry and me to take to New York for the Defense Fund of the 11. There have been many protests against

## Life of the Party

By Elizabeth Gurley Flynn, Member, National Committee, Communist Party

the denial of bail sent from New England to Attorney General McGrath. The Labor Zionist, for example, said: "The trial is a violation to the basic democratic right to hold to any idea, no matter how unpopular."

The attempt to remove Councilman Davis from office gives people in Boston a grim laugh. Their Mayor Curley was Mayor of the city while he served a prison term, for defrauding Uncle Sam, returned to his post when President Truman released him and is now running for re-election.

WELL, at this writing, the deflation of Medina has begun. First, the lawyers are not going to jail on Nov. 15. That surely will spoil his Thanksgiving Martins, but the next highest court ruled that they should have a hearing to review the whole matter on Dec. 12.

Secondly, after both Medina and McGohey asserted dogmatically that no substantial constitutional issue is involved warranting an appeal by the defendants to higher courts, Assistant U. S. Attorney Irving Shapiro, representing the government, backed down on this

position in the hearing on bail in the U. S. Circuit Court last Tuesday. He admitted Attorney General McGrath agrees that the case must go to the higher courts: "I am not prepared to take the position that the constitutional question is not substantial, although we do think we are right." This was originally their strongest argument for no bail.

Possibly by Friday, when this appears, the judges will have given their decision on the appeal for bail. If it is a just one, the 11 Communist leaders should be out on bail.

The appeal on the constitutional issue is not expected to be heard before Spring, according to the New York Times. It would reach the Supreme Court next Fall, they calculate.

I DO NOT know whether their time schedule is correct or not. But while appeals are pending is the time to familiarize the entire American people particularly the progressive movement, with the facts of the case.

Three pieces of literature are now available. The National Non-

Partisan Committee to Defend the Rights of the 12 Communist leaders has issued a pamphlet addressed to lawyers, prepared by a committee of New York lawyers. Their address is Suite A, 23 West 28 St., New York, 10, N. Y.

George Marion, competent newspaperman who observed the trial, has written a booklet "The Communist on Trial—an American Crossroads." It is published by Fairplay Publishers, 25 W. 44 St., New York, 18, N. Y. and can be secured through any progressive book store. Both are devastating exposures of the trial. The first one is appropriately called "Due Process in a Political Trial—the Record vs. the Press." If any lawyers or editors believe, as many do, that Medina was a patient, long suffering man, let them read about his antics and how he ruled in this case. It will give them an entirely different picture.

A pamphlet by Joseph North is also coming off the press, addressed to workers and the Negro people, which is a story of this trial as he saw it in court day by day. It is a passionate appeal for mass support.

Let us utilize all this material at once to counteract the lies of some of the press, the silence of others. Let the American people know what really happened at Foley Square, as a first step to build a tremendous mass defense movement for the eleven.

## Negroes Face Loss of Homes

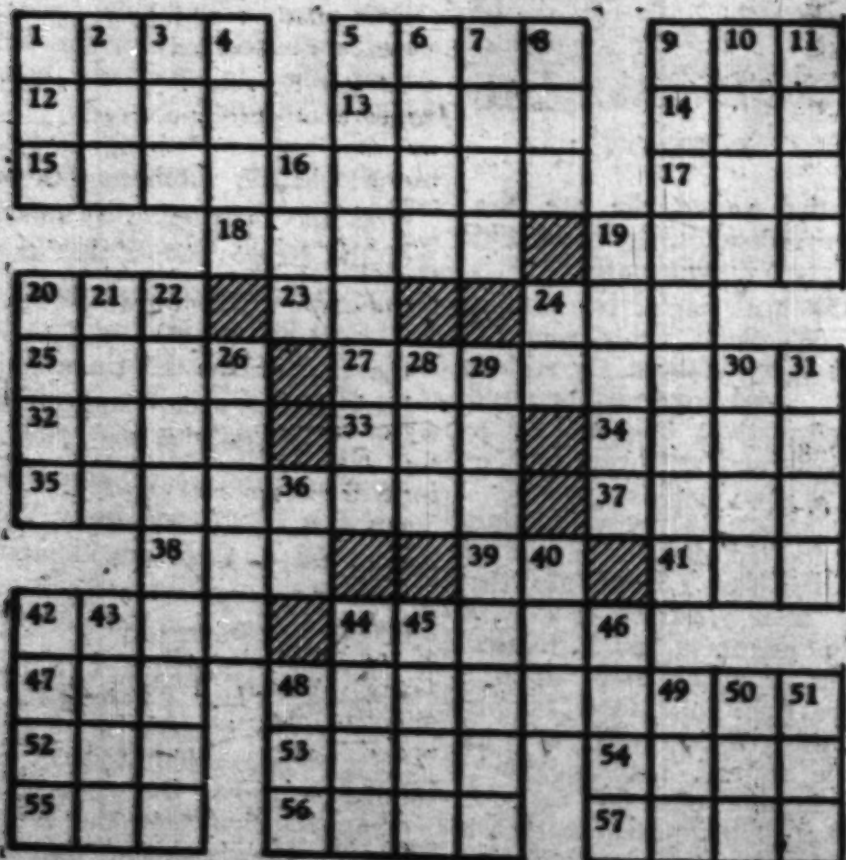
BIRMINGHAM, Oct. 25.—Many Negro citizens of Hooper City, a small community near here, stand to lose their homes if Birmingham city officials have their way and attach it to Birmingham. Once Hooper City is attached to Birmingham, homes not built in accordance with standards set by Birmingham contractor and real estate interests will be condemned and torn down.

Many Negro home owners have built their own homes because they could not afford the high prices of contractors. Even this has

meant considerable money and labor on the part of the home owners. Now, unless Hooper City citizens' protests can save their city from being attached, the community will become part of Birmingham Oct. 27.

The Welfare Club of Hooper City has been conducting a five-week campaign to save the homes of Negro citizens. There have been several mass meetings and now a petition campaign is being conducted. The petition will be presented to the city commission of Birmingham.

## CROSSWORD PUZZLE



- HORIZONTAL**
- Pennant
  - Repose
  - Hair pad
  - Nobleman
  - Lake
  - Com. Am. tree
  - Impromptu
  - Numerical prefix
  - Scandinavian
  - Seed coating
  - One of coal
  - Shade
  - Function
  - Shin
  - An awning
  - Excess to agent
  - Beverage
  - Town on the Thames
  - Scout
  - Roman tyrant
  - European river
  - Clay pipe
  - African cony
  - Title
  - Word from the trials
  - Quake
- VERTICAL**
- Outer boundary
  - Hostelry
  - Shower down
  - Gum
  - Consonant
  - Wild animal
  - French cleric
  - Charge
  - Romies
  - Knock
  - Small ravine
  - Act of retaliation
  - Quack god
  - Form of address
  - Target in certain games
  - Withdraw to a rear position
  - Quack
  - To work on
  - Extinct bird
  - Of a pale gray color
  - Narrative
  - Moment of Amm
  - Red strip used to sew on drinks
  - Prison
- Answer to Yesterday's Puzzle**
- PAN HIGAN SEA  
 ALK INVERT COE  
 YAK ZANER BOE  
 LOE EASEL  
 ALAN FEE OUSE  
 LER DAN ABER  
 ADDER FEACE  
 AVOED KOS BOE  
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**Daily Worker, New York, Friday, November 4, 1949**

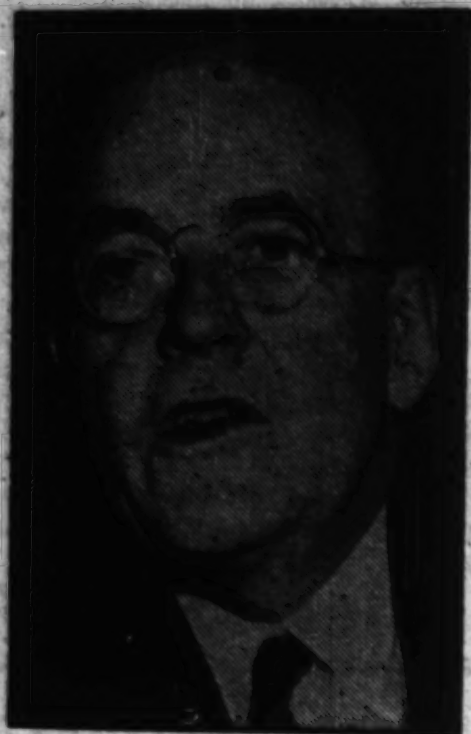
**WHAT DO THE TWO AND A HALF MILLION JEWS in New York think about the revival of the Nazis in Western Germany?**

What do they think about Washington approving the freeing of Ilse Koch, beast of Belsen, by our military authorities in Germany?

What do they think of the Truman-Dulles plan, now being carried out, to bring back the murderers of five million Jews as a "bulwark against communism" — that is, as our allies for a new plotted war against the Soviet Union?

Marcantonio and Ben Davis have slammed hard at these burning questions. They have given the facts. They have denounced the revival of Fascism in Western Germany.

Marc and Ben have asked O'Dwyer, Newbold Morris and Lehman to tell the voters if they dare oppose the government's bring-back-the-Nazis program which Dulles and Truman worked out together.



DULLES

**HERBERT LEHMAN** correctly warned against the anti-Semitism of Dulles. He showed how Dulles, six months before Pearl Harbor, tried to blindfold America to the menace of Hitlerism. He sneered at all who warned of the Axis menace as "Moscow agents." But what does Herbert Lehman have to say about the fact that today Dulles' program for reviving the Nazis is exactly the same foreign policy to which he, O'Dwyer, as well as Morris, are all pledged?

How can the anti-Semitism of Dulles be effectively fought in New York City if, at the same time, one agrees with Dulles' plan to make a new Fascism in Germany our ally against the Soviet Union? Won't anti-Semitism in Germany strengthen the Jew-baiters here at home?

**COMMUNIST LEADER IN NEW YORK, William Norman, has made an important appeal to the Jewish community of our city, to all citizens alarmed by the Dulles incitements to racist hatred.**

Norman told the pro-Lehman voters who fear Dulles' open appeals to the Christian Fronters that the Communists fully share with them their hostility to everything Dulles stands for as regards racism. The Communists long ago picked Dulles out as one of the most sinister figures in our public life, one of the most active friends of German fascism in the U.S.A.

But, the Communists do not believe that Herbert Lehman can effectively combat Dulles' bigotries as long as he agrees with Dulles on the foreign policy which is bringing back German fascism in Western Germany under Washington's direct sponsorship.

Nevertheless, Norman argued, despite this difference, it is vitally important for all the anti-Dulles voters to unite in New York City behind the Marcantonio-Davis ticket as the most practical means for telling the Dulles forces that New York City has no use for the bring-back-the-Nazis program and the anti-Semitism he fomented.

**THE MARCANTONIO-DAVIS TICKET** is the only one that attacks Dulles all along the line, on EVERYTHING he stands for. The Marcantonio-Davis ticket is the only one that refuses to go along with Dulles on his "good" parts—that is his vicious pro-Nazi policy in Germany which is the basis of the "cold war"—while reproaching him for his naked racist propaganda. The Marc-Ben Davis ticket challenges the Dulles reaction from top to bottom.

So we say to all the anti-Dulles voters, regardless of differences on other issues and candidates, make your vote against the would-be Hitlerites in America really count. Elect Marcantonio and Ben Davis. That will speak for the welfare of the people everywhere as nothing else could.

*Pull down  
this LEVER  
for MARCANTONIO  
for MAYOR  
then pull down all  
other levers on*

SPRING LEVER			3 MARCANTONIO	4C PAUL L. BOES	4C DINWELDA	4C DINWELDA	4C DINWELDA

*Vote Straight* **ROW C**  
**AMERICAN LABOR PARTY**  
**TUESDAY, NOV. 8<sup>TH</sup>**

*and leave them  
**DOWN!***


• • • **MAKE  
MARC  
MAYOR**

## The New Negro Movement

**By Rob F. Hall**

WASHINGTON.

**A COUPLE OF WEEKS AGO**, some 3,000 residents of this city, most of them Negroes, packed a local prizefight arena to hear Paul Robeson and to associate themselves with him in the fight against American fascism. There are not 3,000 "reds" in Washington. There are not 3,000 members of the Progressive Party in the city. This astounding turnout can be explained only in one way—that the Negro people are profoundly aroused by the threat to civil rights represented in the Peekskill attacks on Robeson, and that in Robeson they see the uncompromising champion of their freedom.



Negro that his battle for freedom and equality is a part of the battle of colored colonial peoples in Asia and Africa and the battle of the serfs in eastern Europe against feudalism."

And further, Robeson represents the growing understanding of the Negro people in America that those who prosecute a cold

I was interested to learn subsequently that my very conservative colleague, T. R. B. of the New Republic, who attended the meeting, made a similar estimate. Not that he put it the way I did. On the contrary, he threw in assertions which I am sure he is too intelligent to believe, such as: "The Communists have grabbed the racial issue cynically and deliberately for their own ends. . . . Robeson has been tied tight to the party line."

But in addition to this vicious and dishonest nonsense, T. R. B. declared: "In the massive and majestic Paul Robeson, Negroes have found the most impressive personality their race has ever produced in America. We believe the point has been reached when America must reconsider 15,000,000 Negroes' just grievances—or rue the day."

AS TO the impressiveness of Robeson's personality, there is likely to be no minority report. I recall hearing Mrs. Mary McLeod Bethune some years ago describe him as "the tallest tree in our forest." Prof. E. Franklin Frazier, the sociologist, speaking at the Turner's Arena meeting, treated us to a novel but convincing analysis.

"Let me remind you," said this Negro social scientist, "that in American culture the Negro male has never been permitted to play a masculine role . . . this is partly why white America has become incensed at Paul Robeson. Mr. Robeson represents the Negro man in the masculine role as a fearless and independent thinker."

I have also at hand a testimonial to the Robeson personality from an even more con-

**ROBESON**

servative source, the late Alexander Woollcott, dramatic critic and radio commentator.

"Often a year or two will go by," Woolcott wrote some 15 years ago, "without my seeking him . . . and then, unannounced, his great dusky bulk will fill my doorway and my heart rejoices, for of the countless people I have known in my wanderings over the world, he is one of the few of whom I would say that they have greatness. I do not mean greatness as a football player or as an actor or as a singer. I am not, I think, confusing his personal quality with his heroic stature. I do not even have in mind what is, I suppose, the indisputable fact, that he is the finest musical instrument wrought by nature in our time. I mean greatness as a person. I can say only that by what he does, thinks and is, by his unassailable dignity and his serene, incorruptible simplicity, Paul Robeson strikes me as having been made out of the original stuff of the world."

**BUT AS** the meditations of T. R. B. show us, it is no longer possible to divorce the great personality of Robeson from the movement with which he is identified.

"He represents," said Dr. Frazier, "the new understanding on the part of the American

Negro that his battle for freedom and equality is a part of the battle of colored colonial peoples in Asia and Africa and the battle of the serfs in eastern Europe against feudalism."

And further, Robeson represents the growing understanding of the Negro people in America that those who prosecute a cold war against a large part of the world cannot be relied upon to break the bonds which shackle them here at home.

Robeson spoke that night in Turner's Arena of the urgency of the Negro people's problems. They have so often been told to be patient. But Robeson said patience was no virtue when the freedom and the very lives of their loved ones were at stake. He contended for trust in none except the doers, in nothing except the deed. And in particular he gave them confidence in their own indomitable strength and enthusiasm, together with their allies, to smash the bondage of Jimcrow.

**FINALLY**, Robeson represents the developing awareness of the Negro people that their aspirations and their struggle for a better life are interwoven with the fate of the 11 Communist leaders now occupying cells in the West Street prison. Two of them are also great Negro leaders, Ben Davis and Henry Winston. All of them are identified with the struggle for the rights of the Negro people.

Largely inspired by Paul Robeson, there is amassing a new Negro movement, new in its splendid, militant impatience, but new also in the scope of its comprehension that the fascist danger which menaces Communists also menaces the Negro people.

This development adds tremendous strength to the campaign for the re-election of Ben Davis, to the fight for jobs for Negroes and for civil rights laws by a Congress which at the moment has no intention of enacting them.

# Attention Voters

Tuesday, Nov. 8, is election day. Polls will be open from 6 a.m. to 7 p.m.

**SPEAK OUT  
FOR  
PEACE!**





## Around the Globe

By Joseph Starobin

### Sell-Out In Indonesia

ONE OF THE SHAMBIEST and shocking examples of how colonial peoples are cheated of their independence is now being celebrated at The Hague. That's where the 10-week "peace conference" between the Indonesian Republic and the Dutch government has just ended. The N. Y. Times anticipated the settlement last Sunday with an editorial hailing the "end of imperialism" in south-eastern Asia; but rarely has the world seen such

a piece of unclean hypocrisy. If George Washington or Benjamin Franklin had announced such a peace treaty in 1783, they would have been hooted out of the States, and it's altogether probable that when Mohammed Hatta and Sukarno, Indonesia's main-sell-out statesmen, return home, they will only be able to impose such a betrayal by force.

The contrast between the new China and the new Indonesia tells its own story. In the one case, the people of China will rule their own country when it is completely cleaned up of the Kuomintang traitors, as they are already ruling north and central China. All the unequal treaties of the past have been canceled, and whatever business will be done with the imperialists will be on China's terms. In the second case, a "partnership" is established which returns the 76 million people of the wealthy islands of Indonesia to their pre-war enslavement in all decisive matters.

IN THIS SELL-OUT, the State Department has had a heavy share. The Dutch were enabled to carry out their aggressions only with American weapons and with Marshall Plan aid. The Republic was undermined from within by U. S. agents—among them, Arturo Campbell, an FBI representative, who was directly responsible for the provocations of September, 1948, that led to the murder of the Indonesian Communist leaders last December and the imprisonment or dispersal of no less than 30,000 Indonesian patriots.

H. Merle Cochran, a former U. S. Consul at Batavia in the '20s, masqueraded as a member of the United Nations Conciliation Commission and made all the key moves at The Hague settlement from behind the scenes.

The whole role of the UN was shameful. Every effort by the Soviet Union's Security Council delegates to stop it was blocked by American and British spokesmen.

THE SETTLEMENT is supposed to transfer "real, complete and unconditional sovereignty" to Indonesia by the end of the year. That will happen on paper, unless fighting resumes. In actual fact, Dutch troops will remain in Indonesia anywhere from six months to a year and a half after January, 1950. The Dutch will hold a naval base at Surabaya indefinitely, and will train and equip selected units of the Indonesian Army. The island of New Guinea (larger than France, and recognized as part of Indonesia three years ago by the Renville agreement) will remain in Dutch hands indefinitely. Formally, Indonesians will have the reins of government, but decisive questions of foreign trade, defense, and even diplomatic relations with other countries must be shared with the Dutch. The Central Bank will be in Dutch hands. All Dutch investments are intact, or else "shared" by placing a few Indonesians on the boards of directors.

SETTLEMENT of past debts is especially outrageous. Originally, the Dutch wanted Indonesia to assume all pre-war debts, plus the cost of military operations against Indonesia, which had already been paid for once by U. S. taxpayers via the Marshall Plan. The Dutch bill was 6.3 billion guilders or \$1,638,000,000. It was finally scaled down to 4.3 billion guilders or \$1,131,578,947. Of this amount, some 10 percent represents Canadian, Australian and American loans, made to the pre-war regime. All this the Indonesians continue to pay. And as collateral, the Dutch will take a part of Indonesia's hard currency exports and tin.

In short, Indonesia's working people are now "free" to keep paying the same old exploiters whom they threw off four years ago, and who are now hoisted back into the saddle. All this, we are told, is that "dynamic democratic leadership" which is supposed to represent the blessings of western civilization; such is the "voluntary giving-up of empire in Asia" which is supposed to answer the "challenge of Communism!"

VIRGIL — Sound Effects



By Len Kleis



## Letters from Readers

### IWO Explains

#### Contribution Story

NEW YORK.

Editor, Daily Worker:

In a story appearing in your paper on Oct. 20, and in another story contained in an advertisement in your paper on Oct. 25, there was included a statement to the effect that the International Workers Order had sent a check for the defense of the Communists. This conveys the thought that the International Workers Order had made a contribution out of its funds.

This statement is erroneous and must have been based on

inaccurate information conveyed to you.

The facts of the situation are these.

Individuals who are members of the IWO formed a committee through which they have made their personal contributions to the Non-Partisan Committee To Defend the Rights of Communists. It was this committee of individual members which turned over its collections to the committee indicated. The IWO did not in any way collect or pay these monies.

PETER SHIPKA,

General secretary-treasurer.

## Press Roundup

THE HERALD TRIBUNE deplors, not the blatant invitation to Jew and Negro-baiting by the pious Dulles in his now-notorious "If you could see..." speech, but the fact that the charge of bigotry has been levelled against him. "It need hardly be said that John Foster Dulles is as far from being a bigot as any man alive," the Trib whines, and then proceeds to say it—at unconvincing length. By the way, Rankin doesn't consider himself a "bigot" either.

THE NEWS raves about "Communist traitors" in CIO, lauds Murray's "patriotic service" in splitting the CIO. Steelworkers would be interested to know why the News doesn't view a strike for decent standards a "patriotic service," but reserves the label only for actions which would destroy labor's unity.

THE MIRROR'S Drew Pearson says: "Sec. Acheson's planning chief, George Kennan, just completed a secret study of what the cold war may cost. It runs to 50 billion a year."

THE POST, which refused to stop printing scab copy during the recent strike of a newspaper syndicate, and which currently refused to print an ad submitted by the rightwing Newspaper Guild of New York, hypocritically headlines a Murray Kempton

column on the CIO purge: "Unionism a Faith to Philip Murray."

THE COMPASS' Jennings Perry enumerates some of the true and useful things Truman might be saying in his St. Paul speech, which might further peace and domestic progress. But Perry doesn't think such a speech likely.

THE TIMES, having clapped its pudgy little hands for the CIO rightwing's thought control purge, now reverts to its insistence that Philip Murray quit fooling around and end the steel strike on terms palatable to the steel trust.

THE SUN'S story on the granting of bail to the 11 Communists concludes: "Today's decision was viewed as a major victory for the Communist Party." Only those who don't really believe in democracy view it thus. Communists and all others who believe in the Bill of Rights see it as a victory for democracy.

THE WORLD-TELEGRAM froths at the mouth whenever a union wins a strike, a wage increase. The Telly is thrilled over the expulsions from CIO. Riddle—find the reason why the Telly loves that purge.

THE JOURNAL-AMERICAN is disgusting. —RF.

## World of Labor

By George Morris

### A Look at CIO Membership Figures

CLEVELAND.

WITH "COMMUNISM" the only issue before it, as Philip Murray stated, and all the frenzy set for an anti-red spree, there is absolutely no attention given to the little matter of the state of the CIO organization. Murray in an hour-long tirade against Communism tried to belittle the strength of the 12 unions that refuse to knuckle under to his machine. He did the same at Portland, Ore., a year ago.

Murray thus once more tampers with the very delicate matter of CIO membership figures. I am sure, therefore, he won't hold it against me if I too inquire a bit into this very mysterious subject. Our calculations, unfortunately, cannot be based on any official bookkeeping because such data is available only to the inner circle of the inner sanctum of the CIO's hierarchy.

For some eight years the CIO claimed a standard figure—8,000,000. It wasn't hard to prove it in war days or even as late as 1946. But it has been getting tougher to prove it as convention followed convention. You can pad a half million or so and make it look good. But 1,500,000—and that is about what it is now—is too big a gap to fill.

WHY DO THE CIO leaders go to such lengths to maintain that 8,000,000 figure—on paper? If they would admit the drop that has occurred, they'd also admit their bankruptcy and the fact that they have abandoned long ago the task of organizing the unorganized. That wouldn't bolster their position against the left, who they say represent only "10 percent" of the membership, and that their expulsion wouldn't really be much of a split.

First of all, the fact that the left unions had 71 delegates of the 308—23 percent—representing the unions, should refute that claim. Secondly, based on the allotment of delegates to those unions, in accordance with the CIO's constitution, the MINIMUM total membership of those unions must be above 900,000. Surely secretary-treasurer Carey isn't overgenerous with them?

Nor should it be overlooked that the left unions, pressed by raids from all sides and their treasuries taxed to the limit, have in some cases been forced to cut down on their per capita payments. There is no doubt, of course, that they, too, suffered losses.

On the other hand let us take a look at the right wing claims. The United Auto, claiming "about a million," has 29 delegates, who, according to the constitution should represent above 1,150,000. Similarly the steelworkers' "about a million," has 28 delegates, who should represent above 1,100,000.

THE COMMUNICATION WORKERS (telephone), which only recently switched affiliation to the CIO, "represents" some 300,000 workers according to Organization Director Allan S. Haywood. The union is still fighting for the checkoff and its dues payments are still far from that figure. But there it is in the convention record, assigned 14 delegates, which would presume that the union has a per capita of over 400,000.

The Marine and Shipbuilding Union, which claimed no more than 60-odd thousand at its recent convention, and whose biggest locals have seceded since then, is listed for eight delegates, supposedly representing over 100,000.

The virtually defunct United Retail Employees, estimated to have at most about 30,000 left, turns up with seven delegates or over 75,000.

The Woodworkers, well below 75,000, is listed for eight delegates, over 100,000.

The losses suffered by the CIO since it embarked on the course of fighting Communism instead of open-shopism, are bad enough. The tragedy is in the failure to recognize the disastrous course and in the effort to hide the real picture by filling the air with redbaiting. Obviously, the controlling group in the CIO would rather have 3,000,000 paying dues whom they could regiment under a dictatorship, than 8,000,000 or more members, organized in free, democratic and autonomous affiliates.

The issue is returned to the old spirit of CIO, Mr. Murray, not "Communism."

**COMING: The Soviet Union, 32-Year-Old Champion of Peace . . . in the weekend Worker**



## CIVIL RIGHTS CHAMPION RUNS FOR JUDGE IN L. I.

Civil rights is the issue in the candidacy of Stanley Faulkner for Supreme Court Judge in the 10th Judicial District, comprising Queens, Nassau and Suffolk, on the American Labor Party ticket.

Faulkner, who lives in Great Neck, battled through the courts in an attempt to win freedom for William J. Dessoire, a Negro who was beaten by four Rockville Center cops, and then charged with assaulting them. As a result of his attack on the Nassau County Grand Jury system, two Negroes were appointed for the first time.

Faulkner was also attorney in the now-famous Freeport case. He is counsel to the Voice of Freedom Committee and to the National Council of Arts, Sciences and Professions and a member of the National Association for the Advancement of Colored People.

The National Lawyers Guild, in passing upon his candidacy, had this to say:

"This candidate has a varied and distinguished record in the courts involving litigation on behalf of minority groups and civil rights. He has fought successfully



FAULKNER

in the courts against discrimination. A man of sterling character and would make an excellent judge. Qualified and endorsed."

## Italian Senator Tells Chinese of Europe

TIENSIN, Nov. 3 (NCNA).—Velio Spano, Italian Senator and member of the Political Bureau of the Central Committee of the Communist Party of Italy, spoke on the workers' movement in the capitalist countries of Europe at a meeting of Tientsin leaders. He was warmly applauded when he described the daily growing strength of the Italian working class and the Communist Party of Italy.

Speaking of the great victory of the Chinese Revolution, Senator Spano said: "The working class and the broad masses of people in Italy thank you, the Chinese Communist Party and the Chinese people, because what you have done has made an important contribution to the liberation of all mankind."

Hollywood, a column of film news and comment by David Platt appears daily in the Daily Worker.

## Strikers, Cooks, Musicians Dig Deep for Defense of the '11'

Groups of workers all over the country are continuing to forward money for the defense of the Communist leaders—like the striking steel workers of Warren, O., who sent \$75 with a note declaring they "have not forgotten the leadership once provided by Gus Hall."

Hall, one of the 11 and chairman of the Ohio Communist Party, had been an organizer for the United Steelworkers during its founding days. Another group of steel strikers in the Calumet region, in Indiana, sent \$100.

A crumpled, old \$100 bill carefully folded into a cardboard folder, cut from a cigarette carton was received yesterday. Alongside of the bill was the appeal for funds that was printed in the Oct. 17 issue of the Daily Worker by Elizabeth Gurley Flynn. The postmark indicated that it came from Vermont. From Brattleboro, Vt., \$10.

From a group of officers and members of Local 89, AFL Cooks, the sum of \$170 . . . from an old-timer in Puyallup, Wash., who signs "yours for a better world," \$5 . . . from an IWO lodge in Sugar Island, Sault Ste. Marie, Mich., \$20 "wish we could do more" . . . from Wabash, Ind., \$10 . . . New Bedford, Mass., "here's my bit to free the 12," \$10.

From Los Angeles the following "an adverse decision from the Supreme Court means concentration camps for the rest of us," \$10 . . . "please accept my check for \$25 in the defense of the 12 men who are fighting to keep our democracy." "I am one of the boys who fought in Spain in 1937 for the same thing." "I wish I could do more, I am handicapped now for the loss of a leg in the last war, being in the merchant marine."

"I am an old, half-starved musi-

cian," starts this letter, "but my heart aches more than my stomach." "Here are \$2 for the defense fund to carry on the fight for the 12." Belleville, Ill., \$15 . . . Dayton, Ohio, a check for \$100 . . . Tarrytown, N. Y., \$5 . . . Buffalo, \$10 . . . New England District fulfills

quota in Fund Drive . . . from the New England District, Communist Party, \$3,000, fulfilling their quota in one payment . . . from the Wisconsin District, Communist Party, \$250 is added to \$500 sent in last week . . . from the Missouri District, \$400.

## PAUL ROBESON presents

(and will appear in person)

- The 2 GOSPEL KEYS
- HARMONIZING FOUR
- MT. LEBANON JUBILEE SINGERS
- SISTER ROSA SHAW
- BROWNIE McCHEE
- ROSA LAYNE
- and others in

## THE GOSPEL TRAIN

BEN DAVIS

for BEN DAVIS'

Will Appear!

CAMPAIGN WINDUP

- Answer the Peekskill Troopers
- Answer the Witchhunters
- Answer the Anti-Davis Coalition

AT

## ROCKLAND PALACE

155th Street and Eighth Avenue

SUNDAY, NOV. 6 — 2-6 P.M.

Tickets — \$2.40, \$1.80, \$1.20 (tax incl.)

INDEPENDENT CITIZENS COMMITTEE for the REELECTION of BEN DAVIS  
Hotel Theresa, Room 112 — MO 2-0905-2

## THE ETHICS OF MARXISM-LENINISM

Presenting Testimony Not Permitted  
by Judge Medina in the Trial of  
the 11 Communist Leaders

Speakers:

DR. HOWARD SELSAM  
DR. HARRY K. WELLS

Sunday, Nov. 6 — 8:30 P.M.

JEFFERSON SCHOOL

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## LECTURE and DANCE

Beautiful Ballroom

HOTEL DIPLOMAT

106 W. 43rd St. N.Y.C.

Sunday Eve., Nov. 6 at 8:30

MARCUS GRANTHAM

Distinguished British Psychologist

speaks on

"Our Sex Habits—

Are They Changing?"

Dancing to DAVID HOLICK'S Orch.

ONLY \$1.04 tax

## What's On?

### Tonight Manhattan

LEE HAMBRO. Hope Foye: A joint program by two outstanding People's Artists concert musicians. Friday, Nov. 4, 8:30 p.m. Panel Room, 13 Astor Place. Tickets 90c, \$1.20, \$1.50 at Local 65 Bookshop, People's Artists, 13 Astor Place.

THE SOVIET UNION TODAY will be discussed by Meyer Weiss, Jefferson School, 575 6th Ave. 8:30 p.m. Sub \$1.

MARXISM AND THE LAW with Leon Josephson at the Jefferson School, 575 6th Ave. 8:30 p.m. Sub \$1.

WHAT'S AHEAD for the Left-Progressive Unions? An analysis of the Cleveland CIO Convention by George Squire, at the Jefferson School, Political Review of The Week, Jefferson School, 575 6th Ave. 8:30 p.m. Sub \$1.

STUDENT! Inquire future parties, dances by canvassing this weekend and every night you can for the reelection of Ben Davis. Come to 3410 Broadway (near 138th St.). You're urgently needed.

FILM—"Murderers Among Us"—a psychological study of postwar Germany. Tonight. Continuous showings beginning 8:30. Doors open 8 p.m. Social. Adm. \$1.25, incl. tax. 111 W. 88th St. Ausp: Film Div., N.Y. Council, Arts, Sciences and Professions.

JUNE GORDON, Pres., Emma Lakatos Div. JFFO, will speak on the issues in this year's election campaign. This Fri. Nov. 4th, 9 p.m. at Central Plaza, 40 E. 7th St. Ausp: Lodges 56 and 75, JFFO. Admission free.

FOLK DANCING of many nations: dancers, advanced; fun. Rose Stier, dir. Cultural Folk Dance Group, 128 E. 16th St.

### Tonight Brooklyn

POST-HALLOWEEN BALL. Evans Thompson and his band; Gibley La Ross, African Ballet; Pert and Sherry. Dance Duo: Special Attraction—Johnny Angel and LA. Ballroom Dancing. Fri., Nov. 4th, 8 p.m. Adm. \$1.10—\$1.50. Tablen \$1.50. For reservations, call EL 7-1000 or ST 9-0180. Ausp: Youth Committee for Marcantonio and Ada B. Jackson. At Club "12" 12 Rockaway St., near Rockaway Ave., Bklyn.

START PRE-ELECTION Weekend Right. Come to Youth Committee for Marc and Terry Dances. 320 Coney Island Ave. (Bri. Sta. EXT.) Band, entertainment, fun.

### Tomorrow Manhattan

HEARTY DANCE-AROUND. The American Folk Song Group presents the trio, Joe Jaffe, Betty DeCousler and Ernie Lohman. Dances for Marc: a new film strip on Peekskill; a sneak preview of Peckinpah's latest puppet show; a special dance program; games and national dancing. 220 W. 25th St. 8:30. Entrance fee 50c.

HAVE YOU SEEN "What's Happening in Harlem," the Ben Davis campaign film. Double feature with "New Gulliver," puppet film—satire on "Gulliver's Travels" at the Jefferson School, 575 6th Ave. Dancing afterwards. See you there after canvassing. 8:30 p.m.

COME JOIN WITH US. UOPWA, Local 16 Cashiers' Division Election Party. Funds to ALP to elect Ben Davis. Dancing, singing, entertainment by People's Artists, refreshments. Everybody welcome. Adm. \$1.

PRE-ELECTION VICTORY SOCIAL. Dance, intimate entertainment, delectable eatin'. Finest people will be there. ALP, 1st A.D. No. 350 4th Ave. (25th St.). Come and make merry. Festivities start 8:30.

PEOPLE'S DRAMA invites you to a pre-election-auction entertainment party, with Jimmy Edwards of "Home of the Brave," John Boale, Ruth Tarson, Bill Marshall, Ray Hill and Elmer Bernstein. Dancing and refreshments. People's Drama Studios, 17 West 24th St. 8:30 p.m. Non-members 75c.

### Tomorrow Bronx

REMEMBER YOUR DATE with Marc. Sat., Nov. 5th, 9 p.m. Charlie Mack's Music. Ausp: Vets and Youth Committee for Mrs. Dickerson and Marc. Adm. \$1 adv., \$1.25 door.

### Tomorrow Brooklyn

NOV. 5—Terrific Pre-Election Affair. Taft Chandler and Ban. 1190 St. John's Place, Brooklyn. Ausp: YFA, Meyer Levin Comm. for Marc. LYL, Crown Heights.

### Coming

SUNDAY, 3 p.m. until . . . ? Nov. 6. A party, the best yet . . . every one will be there to greet our new councilman Sol Tischler, at Harry Kaplan's home, 292 Madison St., N.Y.C. or Montgomery St. (penthouse apt). Ausp: ALP, 4th A.D. South. Contr. 75c.

WELCOME HOME our delegates—World Youth Festival Dance, Nov. 6, 8 p.m. Hear and greet Herah! Hartman, John Alexander, others. Folk and social dancing, refreshments, entertainment. See you Sunday—608 Cleveland St., Bklyn. Contr. 40c.

FOUR CONGRESSIONAL Candidates discuss interesting issues at Forum and Party. Dancing, movie, refreshments. Adm. free. Sun., Nov. 6, 8 p.m. 1703 Pitkin Ave. Jewish Young Fraternalist.

RATES: 35 cents per line in the Daily Worker  
40 cents per line in The Weekend Worker  
6 words constitute a line  
Minimum charge 3 lines  
PAYABLE IN ADVANCE

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Daily Worker:  
Previous day at noon  
For Monday's issue  
Friday at 4 p.m.  
Weekend Worker:  
Previous Wednesday  
at 4 p.m.

PAUL ROBESON  
BENJAMIN J. DAVIS  
VITO MARCANTONIO

AT A

## Giant Pre-Election RALLY!

Sunday, Nov. 6, 7 p.m.

## GOLDEN GATE BALLROOM

142nd St. and Lenox Ave.

- EWART GUINIER
- WINIFRED NORMAN
- LARKIN MARSHALL

Admission 25c

Auspices: AMERICAN LABOR PARTY, 21st S.D.



# CIO Rightwing Scored for Yielding on Negro Job Rights

By George Morris

CLEVELAND, Nov. 3.—The rightwing CIO Administration was sharply criticized on the floor of the convention today for its laxness in the fight upon discrimination, its pussyfooting on the Taft-Hartley Law repeal movement and its slavishness to the Marshall Plan.

The convention for most of the day passed on its bookful of resolutions, giving them perfunctory approval as Joe Curran, secretary of the Resolutions Committee, read off the resolves. The monotony was broken on several of them as progressives rose to state their position.

Election of officers and a general executive board appears to be the only major business left for tomorrow.

Thomas Richardson, vice-president of the United Public Workers, a Negro, opened fire on the CIO's anti-discrimination committee headed by James B. Carey. He forced George Baldanzi, of Textile, director of the Southern Organizing Committee, to apologize to a Negro woman delegate for insulting remarks yesterday.

## NEGRO JOB RIGHTS

The woman delegate, Vitoria Garvin, of the United Office and Professional Workers, had charged the CIO's leadership yesterday with neglecting "special" attention to Negro job rights.

Miss Garvin also noted that the union of which Baldanzi is a leader had at its own convention "failed to adopt a program for a fight for the Negro workers, on the ground that a program of this nature would tend to alienate some of the southern members who might be Ku Kluxers."

"I submit," she added, "that a CIO organizing drive which is aiming to do a job among Negro workers cannot be undertaken in good faith if it is to be headed by a person whose own record and whose own philosophy in his own union is such that there is not a program of organization of the Negro workers."

Baldanzi, then in the chair, replied:

"I assume you belong to the committee to organize the south that was set in Harlem, because

you don't speak with any knowledge of the South at all."

## DEMANDS APOLOGY

Rising to speak on the civil rights resolution this morning, Richardson declared:

"Here on the floor of this very convention a leader of the CIO insulted a Negro woman delegate. Delegate Baldanzi would have recognized that it is necessary to answer criticism with facts, not insults."

He demanded an apology.

"Citing the Jimcrow practices at Bureau of Engraving, he demanded that the resolution be amended to call upon Truman to 'use his executive power to stop such practices.'"

Baldanzi then rose and said, "I am sorry and I humbly apologize if that young lady misunderstood me," and claimed he meant no insult. He said by the Harlem committee he meant the movement that was launched "by the Communists" to help the southern drive in 1946. He did not tell the convention that the movement, which the CIO leaders then attacked, was led by Rep. Clayton Powell.

The discussion also brought a speech from Philip Murray in which, without meeting the charges on specific grounds, he said:

"As President of the organization I proclaim to the universe that we believe in the equality of treatment for the Negro."

He then let loose a tirade against Richardson and added, "I do not ask delegate Richardson to apologize, but his attack is unwarranted."

## CHARGES UNANSWERED

Among the charges left unanswered is one by Richardson that some CIO councils still direct delegates "who are colored" to register with "so and so" for hotel accommodations. He declared that a real anti-discrimination policy

(Continued on Page 11)

## Gold, Bridges Force Praise from Enemies

The fight at the CIO convention in Cleveland of Ben Gold, president of the Fur and Leather workers, and of Harry Bridges, president of the West Coast longshoremen against Philip Murray's expulsion campaign, evoked a reluctant tribute yesterday from the SUN. The SUN reported, concerning Gold and Bridges:

"Their fighting spirit on the convention floor won the respect of even their right-wing enemies."

# UE Sues to Bar Splitters From Using Union's Name

Announcement was made yesterday by Albert J. Fitzgerald, general president of the United Electrical, Radio and Machine Workers of America (UE), that suit has been filed in federal court to restrain the CIO or its dual electrical union from using the

name of the United Electrical, Radio & Machine Workers of America (UE) or any similar name.

Federal Judge Guy J. Bard, of Pennsylvania's Eastern District Court, has directed that a hearing be held next Monday before the U. S. District Court in Eastern Pennsylvania on UE's request for an injunction, according to the union.

UE charges in the complaint that there is a "conspiracy to wrongfully use its name in order to cause confusion, conflict and disorder."

The suit was brought by the union directly against James B. Carey, CIO secretary-treasurer and Harry Block, a leader of the dual union.

# SAYS UE IN PHILADELPHIA WILL STICK BY LEADERSHIP

By Walter Lowenfels

PHILADELPHIA, Nov. 3.—District One of the United Electrical workers today declared its rank and file members would not join the new Carey-Block union.

A statement issued by Philip Van Gelder, UE international representative, referring to the CIO ouster of the UE, declared:

"Having failed for eight years to get himself elected president of UE, James Carey has now set himself up as president any way and invited the electrical workers to form a new union under him. Very few members of UE will avail themselves of this doubtful privilege."

"In the first place, the UE holds all the contracts in the industry. Workers will not be anxious to throw away their seniority and wage protection just to give Carey a bigger job."

"Secondly, workers in the Philadelphia area have not forgotten

the famous 1 1/2-cent sellout of the Philco strike maneuvered by Carey and Harry Block last summer. They don't want that kind of leadership."

As to the cry of communism, everyone knows this is the last refuge of a scoundrel—including Harry Block, who has been red-baited himself within the past two weeks in connection with the city election campaign. To denounce your enemies as Communist is a familiar device for covering up your own failings.

"The removal of UE from affiliation with the CIO has no effect whatever upon our collective bargaining contract with employers. This principle was clearly established by the National Labor Relations Board just two months ago in the CWA-Bell Telephone case."

"No doubt a number of local union officers will declare their support for Carey in return for the organizers' jobs he has promised them, but the rank and file electrical workers will stick with UE."

# JIMCROW UNITS CONTINUE, SAYS ARMY 'CLARIFICATION'

WASHINGTON, Nov. 3.—Army Secretary Gordon Gray today reiterated that under the Army's new personnel policy, units of Negro troops will not be broken up nor their members distributed throughout white units. He said,

## Second Thoughts By Time Magazine

The campaign headquarters of Ewart Guinier, Negro candidate for Borough President of Manhattan on the ALP ticket, telephoned the editorial office of Time Magazine to ask them whether they wanted a story about Guinier's being the first Negro ever to run for that office in Manhattan. The Time editor was quite excited and told them he would send a messenger right over to the Guinier headquarters.

Later, over the telephone, a voice from Time Magazine said: "We are very sorry, but it has been decided that a Negro running for Borough President is not news, but we will be very glad to print the story, if he is elected."

however, that "it was anticipated that as a result of the announced policy, qualified Negro specialists would be assigned to some white units."

Gordon's statement was issued today to "clarify" Army policy following publication of an Army regulation Oct. 27 which stated that Negro personnel would not be assigned to any except "units authorized for Negro personnel."

This order violated Army policy as declared last Sept. 30, he said, and he has ordered it rescinded. But Jimcrow units will continue, though under special circumstances certain Negro specialists may be assigned to white units.

## Vishinsky to Talk At Dinner Here

Soviet Foreign Minister Andrei Vishinsky will be the guest of honor at a dinner observing the 32nd anniversary of the founding of the Soviet state and the 16th anniversary of American-Soviet diplomatic relations.

The dinner will be at the Waldorf-Astoria Hotel next Thursday, at 7 p. m.

eign country—Russia. Two pages more and we get it again: FROM THE RECORD

Medina: All right, they will have an American trial.

4. It came to trial Jan. 17, 1949. The defense immediately raised the Grand Jury question and for many weeks presented evidence in support of its charges. This pre-trial "challenge round" of the proceedings lasted until March 4, when Judge Medina denied the defense motion to quash the indictment and ordered the trial proper to begin March 7.

These are excerpts from The COMMUNIST TRIAL An American Crossroads Copyright by George Marion, published by Fairplay Publishers, 25 W. 44 St., New York 18. Also available through New Century Publishers and Wholesale Book Corp., distributors. Cloth \$3; popular edition \$1.25.

5. Beginning March 7, time was consumed with such preliminaries as selecting 12 jurors and four alternates, so that presentation of opening argument was delayed until March 21 and March 22.

THAT IS where we enter the courtroom. Having heard the opening arguments, we return on March 23 when the prosecution places Louis Budenz on the stand. We remain here until late in the morning of April 6 when the first witness finally leaves the stand. This represents 10 days of actual testimony, 10 days of court. During that period every problem inherent in such a trial comes to the surface; every argument has to be made or renewed. Thus we obtain a fair sample of the actual courtroom conduct of such a trial.

The sample shows that Judge Medina tried the case according to a police theory of Communism devised for this specific trial. During opening argument (Continued on Page 14)

# The Communist Trial

By George Marion

## Harold in Wonderland

George Marion's book has thus far covered the case history of the prosecution's "eighth witness," Charles Nicodemus, and has shown how the FBI used its hold on this stoolpigeon. The present installment goes back to the first, and main, stoolpigeon witness, Louis Francis Budenz.

We are in the Federal Court for the Southern District of New York at Foley Square in New York City. It is the beginning of the trial proper and we intend to stay through opening argument and the full testimony of the government's first and chief witness—ex-Communist Louis Francis Budenz. Even thus early, however, the trial has a history.

1. The defendants were indicted July 20, 1948. The indictment may be here summarized from one angle. It accuses the defendants of conspiring to "teach and advocate the overthrow and destruction of the government of the United States by force and violence," not directly but in these several indirect ways: a. by organizing the Communist Party; b. by arranging to "publish and circulate, and cause to be published and circulated, books, articles, magazines, and newspapers advocating the principles of Marxism-Leninism"; c. by arranging

to "conduct and cause to be conducted, schools and classes for the study of the principles of Marxism-Leninism, in which would be taught and advocated the duty and necessity of overthrowing and destroying the government of the United States by force and violence."

2. The defense immediately moved to quash the indictment on two main grounds; I. that the Grand Jury which returned the indictment was a hand-picked rich-man's jury in violation of the Constitution; II. that that Smith Act on which the indictment was based, and the charge under it, are unconstitutional; they violate such basic rights of individuals as freedom of speech and the press.

3. Federal Judge George M. Hulbert ruled that the defendants must stand trial. In effect,

this leaves the Constitutional questions for possible ultimate decision by the Supreme Court. He declined to decide the Grand Jury question, holding that it might be raised if and when the case came to trial.

Even in the earliest stages of the case, the defense encountered crude prejudice. We have been told many times that Judge Medina "leaned over backward" to be fair—he often said so! But start at the very first page of the stenographic transcript during preliminary motions, arraignment and so on. Here on page 20:

FROM THE RECORD Medina: That is the way we conduct our judicial proceedings in this country.

One must indeed lean over backward to miss the inference that Communists represent a for-



# Cotton Planter Holds Negro Children Slaves

MONTGOMERY, Ala., Nov. 2.—A white landlord kept several Negro children as slaves to pick a crop of cotton in spite of the protest of their mothers, it was reported here. Mrs. Ethel Lee Hooks, an expectant mother, gained freedom for her children in spite of reported threats by the landlord that he would kill her and the child she is carrying.

The report says Mr. and Mrs. Hooks rented a small farm in Elmore County near Wetumpka.

When domestic trouble began and Mr. Hooks left the family, Mrs. Hooks went to her parents in a nearby community to get some financial aid. She wanted to make arrangements to leave the farm they had rented and settle her

children and herself elsewhere.

The landlord, it is reported, took the Hooks' two cows and their cotton crop and forced the children to work.

Later, through the intervention of white and Negro friends, all

but two of Mrs. Hooks' children were freed from the landlord.

Mrs. Hooks would like to go to get the two remaining children, but she fears to make the trip to Elmore County in view of the threats she reports have been made against her life.

## AFRO-AMERICAN BACKS BAIL DEMAND OF '11'

BALTIMORE.

The Baltimore Afro American, in its issue of Nov. 1, ran an editorial entitled, "Bail for Communists," which said: There is small wonder that confusion exists in the minds of many Americans following the recent conviction of 11 Communist leaders in New York.

This confusion has been compounded by the jailing of all five defense attorneys along with their clients and by the refusal of bail to any of them. Something new has surely been added.

While many of us would be the first to oppose those who would advocate the overthrow of our present government, there are just as many who have not been convinced, despite the verdict, that the charge was clearly substantiated.

Throughout the trial there was the insistence by the defense that thoughts and ideas, rather than men, were actually on trial. There was much talk of the Constitution and the Bill of Rights by both sides.

These issues probably will not be decided conclusively until they reach the U.S. Supreme Court.

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It is because we know what can happen that we urge Attorney General McGrath to give serious consideration to the pleas for bail. What is happening in America is presently in the world spotlight and our ability to sell our brand of government is definitely in question.

We should lean over backwards in our efforts to be fair because all of us should know by now that Communism or no other "ism" can be a serious threat unless we permit it to be so by our failure to make democracy work.

There are many other more serious menaces to demand our attention without our wasting ammunition on the wrong target.

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IRVING RAAB, a member of the Barons Social Club, expressed "horror" at the jailing of the Communists without bail, and said the "Constitution is being flagrantly violated."

"The real tests of the strength of our Constitution is when a legal minority party is extended the same Constitutional rights accorded to all parties," declared SOL YORINSKY, member of the East Side Barbell Athletic Club.

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Mrs. Pauline Taylor, vice-president Youngstown NAACP and chairman of the Youngstown Progressive Party: As a Negro citizen, I am especially alarmed because I recognize in the denial of bail to the 11 Communist Leaders a similarity to the constant denials of constitutional rights to Negroes by the Jimcrow "justice" of the South. It is an act cut from the same cloth as the holding of the Trenton six in prison without bail despite the fact that their conviction has been set aside.

## Soviet Experts Meet With Peking Leaders

PEKING, Nov. 3 (NCNA).—Four Soviet experts on town-planning, public health, building and water supply attended a cadres meeting called by the Peking City Committee of the Chinese Communist Party.

Town-planning expert T. V. Abramov reported on the city administration of Moscow at the meeting which was attended by Chen Yi, Mayor of Shanghai, Huang Ching and Liu Hsiang-feng, Mayor and vice-Mayor of Tientsin. It was decided at the end of the meeting that cadres of various

departments under the Peking City Committee of the Chinese Communist Party should hold discussions and study means of strengthening the organization and administrative work of the capital on the basis of Soviet experience



## Bars Writ Against City Rent Law

State Supreme Court Benedict Dineen yesterday denied a landlord's application for a temporary injunction against the new city rent law that keeps rents to March 1, 1949 levels unless changed by the New York City Rent Commission.

The case was brought by the Metropolitan Fair Rent Committee in the case of landlord Henry O'Brien, owner of 133 E. 86th Barney Rosenstein, attorney for the New York City Tenant Council, represented the tenants.

## Davis Release Aids Election, Says Perry

The freeing of Communist Councilman Benjamin J. Davis on bail makes it "a thousand times more possible" to elect him next Tuesday, Pettis Perry, secretary of the National Negro Commission of the Communist Party told a WMCA radio audience last night.

Perry hailed the people's efforts in behalf of American justice. "Your telegrams, your protests, your concern for the Bill of Rights helped bring about this victory," he said.

"When bail was granted, much more was at stake than just the months, and perhaps years, these men would unjustly have spent in prison, while the courts argued the grave constitutional issues involved."

"At stake were the elementary democratic rights of all Americans. The rights of the people of the 21st S. D. to a free election, to vote for whomever they wanted . . . at stake was the right of the Negro people of our city to be directly represented in the City Council."

He listed the recent efforts by the "three parties of reaction—Democrats, Liberals and Republicans" to prevent his re-election by every means.

"They have unleashed a whispering campaign that Ben Davis would not serve if elected. They tried desperately to remove him from the ballot. They tried to use their influence to keep him behind the bars until after Election Day. They failed in all these things."

"They will fail on Election Day," he concluded.

## Big CP Radio Schedule Today

The Communist Party will be on the air three times today (Friday).

Leading off will be Elizabeth Gurley Flynn, member of the national committee, who speaks over WMCA at 12:30 noon. Hers will be a special lunch-hour broadcast to women.

At 9:30 p.m., Harold Simon, New York State labor secretary, speaks over WMCA.

Howard Johnson, N. Y. State Educational Director, and Joseph Starobin, foreign editor of the Daily Worker, wind up the day with a program over WQXR at 10:45 p.m.

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## Polio Epidemic Leveling Off

New York City's polio epidemic is "leveling off" and the number of new cases is expected to continue to decline, said the Department of Health yesterday.

There were 263 cases of polio and 18 deaths reported in October as compared with 583 cases and 22 deaths in September. Cases for the year through Oct. 31 totaled 2,279 with 178 deaths.

## 'Staats-Zeitung' Refuses Marc Ad

The New York Staatszeitung und Herald, German language daily, yesterday refused to carry an advertisement announcing a Marcantonio meeting to be held by the German-American American Labor Party Club of the 10th A. D. tonight (Friday) 8 p.m. at the Yorkville Temple, 157 E. 86 St. Rep. Marcantonio will speak on: "Germany—the Bankers' Plot against the People."

Victor Gidder, publisher of the Staatszeitung and longtime Republican, has been consistently orating for John Foster Dulles. His paper refused the ad after the money for the advertisement had been accepted. When the committee in charge of the meeting called the advertising manager of the Staatszeitung to protest, they were informed that the paper reserves the right to "censor" advertisements.

## Soviet Medics To Aid New China

HONGKONG, Nov. 3.—The Liberation radio reported tonight that four Soviet specialists, including two women, had arrived in Peking from Moscow to help combat plague raging in north Chahar Province.

The broadcast said all the specialists were attached to the Moscow State Medical Institute

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## REMEMBER WAIT FOR DECEMBER



**THURSDAY — 8**  
**FRIDAY — 9**  
**SATURDAY — 10**  
**SUNDAY — 11**  
**MONDAY — 12**

1949

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## Annual Jewish Labor Bazaar

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69 West 66th Street

**BAZAAR OFFICE:**  
27 Union Square West  
OR 4-5283



**A BARGAIN WITH A UNION LABEL**



# TAXICAB DRIVERS' PAGE

CAN TAXI DRIVERS ORGANIZE?

## The Hack Bureau: How It Aids Bosses

The Hack Bureau functions as the private police force of the operators in the taxi industry. Its main function is "to keep the driver in his place." Its attitude to drivers is summed up in "if this is your first time down at the Hack Bureau on a summons, it's because you've been lucky not to have been caught before."

To intimidate hackies, it has saddled them with endless regulations so that drivers are at the mercy of the police every minute of the working day. Summonses have been issued for failing to wear a cap, failing to take a shave, and other such "criminal acts."

The Police Department insist drivers wear caps for their hack pictures in order to make them look like people who must be under constant police surveillance. Policemen issue summonses, act as prosecutors before a "judge" at the Hack Bureau, who is also a policeman.

### ANTI-LABOR

The hack bureau is charged with administering the taxi industry "in the public interest." In the public interest it has hack inspectors (cops) pose as hackies and spy on union meetings.

They have helped supply and herd scabs during strikes. They have acted as scabs "in order to guard against violence." In the recent strike, they visited drivers and urged them to go to work (this charge was documented and presented to the authorities by the union).

Hack inspectors play drunk and hire scabs (at public expense) in order to "test drivers." They try to recruit stoolpigeons among hackies after getting some minor violation on a driver. All of this "in the public interest."

The fleet owners on the other

hand are given every consideration at the Hack Bureau. The Parmelee, Terminal and Bell fleets (the 3 largest) are never punished for violations, despite the fact that cabs have been dispatched reeking with gasoline fumes, with defective brakes, and other conditions injurious to the health and safety of both driver and passenger.

When the taxi operators acted to limit the number of cabs here (Haas Law), and today on the operators' higher fare proposal, the Police Department lent them every assistance.

But not once did the Police Department initiate or support any regulation to protect the interests of taxi drivers. This despite the fact that over the years the American Labor Party has made many such proposals which were pigeonholed by the Democrats and Republicans, with the blessing of the Police Department at the City Council.

### SERVE WHOM?

It is no mystery as to why the Hack Bureau acts this way. It acts this way because its main function is to protect the property rights of the operators against the human rights of the drivers. It acts this way because politically the operators are in cahoots with the Democratic and Republican party politicians who control and dictate the policies of the Police Department and its Hack Bureau. Hack drivers who vote these two parties are voting with the operators to continue these abuses.

One of the main weaknesses of past union organizational efforts was that no sustained effort was made to take the Hack Bureau out of the hands of the Police Department and to expose it as an anti-labor instrument of the operators against the drivers. Hack drivers are practically unanimous in this demand and would wholeheartedly support such a campaign.

The election of Rep. Vito Marcantonio as Mayor would put hack-drivers in a position to realize this demand quickly and would open the door to complete unionization of the industry with the possibility of consolidating union as never before.

## My Flag Is Up

### "MASS MEETING"

Newbold Morris's open air mass meeting for Taxi, that was so widely advertised, created a problem for the hackies for Marcantonio. An "immense" crowd of about 20 showed up making it necessary to distribute about 1,000 leaflets printed especially for the meeting, on the streets.

### HORRORS

While passing that big cafeteria on 6th Ave. in the fifties on Monday about 1 p. m. seeing a cop putting tickets on cabs for parking while their drivers were

## Cab Driver Tells How He Was Victimized

Editor, Taxidivers Page:

On Sept. 2 at about 1:30 a.m. I was parked on 44 St. in the block east of Broadway. A guy got in and said "14th St. and First." When I got there it was 75 cents on the clock. He gave me a bill which I put in my pocket.

He asked me if I would have a drink with him and I said yes. We both had one. He then asked me if I'd have another, I said no. We left the bar and he asked me if I'd drive him one more block, I said OK.

Before he got out, he looked at his money and asked me if he had given me a \$10 bill instead of a \$1 bill told him I would look and see. I did and found a \$10 bill in my money which I knew I didn't have before I picked him up.

I said Yes. "Here it is. I didn't look at it when you gave it to me. I assumed it was a \$1 bill because you didn't say anything." I gave him \$9 back.

He reached into his pocket, took

out a police badge and said "You're under arrest." I said "for what" he said "for failing to return \$9 and make the proper change."

I told him: "I have been hacking 27 years and have a perfect record at the Hack Bureau. In fact, my record shows I have returned furs left in my cab and many other things. I am a grandfather, I am not a thief. I made a honest mistake."

"I did not deny you gave me a \$10 bill when I looked at my money. The average person when they give you a bill larger than a single will tell you. I returned your money as soon as I saw the mistake."

By now it was close to 2 a.m. In the meantime, another fellow came over and identified himself as the first's partner. They were both hack inspectors.

They said: "If you give us the names of other hackies around 44 St., who shortchanges and roll drunks, we'll let you go."

I told them I knew of no such hackies. They sat in my cab for over an hour, asking me for names. At the end of that time they said they would lock me up for petit larceny.

They booked me at the station house on that charge. I was held for Magistrates Court. I told my story to the judge and the officer didn't question my story in any way. The judge said she would have to hold me for Special Sessions and released me on my recognition pending trial. I was in the meantime stripped of my hack license pending outcome of the trial.

I am sending this story to newspapers in the hope it will be printed. I think it is a shame that I, as hackriver for 27 years, have to have policemen purposely trying to frame me and other hackies by pulling such stunts. I am sure the money spent to buy those 2 drinks and the cab ride is not money spent by these hack inspectors out of their own pockets, but comes out of tax money also paid by the taxi drivers of this city.

JACK SCHALEFF.

Taxidivers' page editor's note: The above case has been referred to Rep. Vito Marcantonio for action. He has gladly accepted it and promised to give it plenty of airing. It sure needs it.

Around the Globe, a column of news and analysis by Joseph Starobin, appears each day in the Daily Worker.

## The Communist Trial

By George Marion

### Harold in Wonderland

George Marion's book has thus far covered the case history of the prosecution's "eighth witness," Charles Nicodemus, and has shown how the FBI used its hold on this stoolpigeon. The present installment goes back to the first, and main, stoolpigeon witness, Louis Francis Budenz.

We are in the Federal Court for the Southern District of New York at Foley Square in New York City. It is the beginning of the trial proper and we intend to stay through opening argument and the full

testimony of the government's first and chief witness—ex-Communist Louis Francis Budenz. Even thus early, however, the trial has a history.

1. The defendants were indicted July 20, 1948. The indictment may be here summarized from one angle. It accuses the defendants of conspiring to "teach and advocate the overthrow and destruction of the government of the United States by force and violence," not directly but in these several indirect ways: a. by organizing the Communist Party; b. by arranging to "publish and circulate, and cause to be published and circulated, books, articles, magazines, and newspapers advocating the principles of Marxism-Leninism"; c. by arranging

to "conduct and cause to be conducted, schools and classes for the study of the principles of Marxism-Leninism, in which would be taught and advocated the duty and necessity of overthrowing and destroying the government of the United States by force and violence."

2. The defense immediately moved to quash the indictment on two main grounds: I. that the Grand Jury which returned the indictment was a hand-picked rich-man's jury in violation of the Constitution; II. that that Smith Act on which the indictment was based, and the charge under it, are unconstitutional; they violate such basic rights of individuals as freedom of speech and the press.

3. Federal Judge George M. Hulbert ruled that the defendants must stand trial. In effect,

this leaves the Constitutional questions for possible ultimate decision by the Supreme Court. He declined to decide the Grand Jury question, holding that it might be raised if and when the case came to trial.

Even in the earliest stages of the case, the defense encountered crude prejudice. We have been told many times that Judge Medina "leaned over backward" to be fair—he often said so! But start at the very first page of the stenographic transcript during preliminary motions, arraignment and so on. Here on page 20:

### FROM THE RECORD

Medina: That is the way we conduct our judicial proceedings in this country.

One must indeed lean over backward to miss the inference that Communists represent a for-

eating, how I was wishing my fare, who was none other than Boris Karloff (Frankenstein) would put on his disguise and do to that cop what he does to some of the guys in the movies.

My steady rider, a Wall Street broker, asked me who I'm voting for this year. "Don't worry, it won't be for O'Dwyer" I assured him. Now we're both happy.

### NEWBOLD THE WISE

When a hackdriver asked "Silk Hat Newbold" what he intends to do about the shapeup, would he if elected stop the issuance of hack license to parttimers, he answers, "Don't you care for the unemployed?"

### COSTELLO CASE

More hackies than you can shake a stick at are interested in the case of a fellow hackman, a Parmelee driver, who made the horrible mistake of scratching the tender of Frankie Costello's car. Meanwhile the company has suspended him.

### COP AT WORK

A hackdriver stuck in traffic Monday about 3 p. m. on 35th Street between Fifth and Sixth Aves., asking his fares not to argue so loud because alongside at the curb a cop in a radio car was dozing. Isn't he a gentleman?

### These are excerpts from The COMMUNIST TRIAL An American Crossroads

Copyright by George Marion; published by Fairplay Publishers, 25 W. 44 St., New York 18. Also available through New Century Publishers and Wholesale Book Corp., distributors. Cloth \$3; popular edition \$1.25.

sign country—Russia. Two pages more and we get it again: FROM THE RECORD Medina: All right, they will have an American trial.

4. It came to trial Jan. 17, 1949. The defense immediately raised the Grand Jury question and for many weeks presented evidence in support of its charges. This pre-trial "challenge round" of the proceedings lasted until March 4, when Judge Medina denied the defense motion to quash the indictment and ordered the trial proper to begin March 7.

5. Beginning March 7, time was consumed with such preliminaries as selecting 12 jurors and four alternates, so that presentation of opening argument was delayed until March 21 and March 22.

THAT IS where we enter the courtroom. Having heard the opening arguments, we return on March 23 when the prosecution places Louis Budenz on the stand. We remain here until late in the morning of April 6 when the first witness finally leaves the stand. This represents 10 days of actual testimony, 10 days of court. During that period every problem inherent in such a trial comes to the surface; every argument has to be made or renewed. Thus we obtain a fair sample of the actual courtroom conduct of such a trial.

The sample shows that Judge Medina tried the case according to a police theory of Communism devised for this specific trial. During opening argument

(Continued on Page 10)



# Cotton Planter Holds Negro Children Slaves

MONTGOMERY, Ala., Nov. 2.—A white landlord kept several Negro children as slaves to pick a crop of cotton in spite of the protest of their mothers, it was reported here. Mrs. Ethel Lee Hooks, an expectant mother, gained freedom for her children in spite of reported threats by the landlord that he would kill her and the child she is carrying.

The report says Mr. and Mrs. Hooks rented a small farm in Elmore County near Wetumpka.

When domestic trouble began and Mr. Hooks left the family, Mrs. Hooks went to her parents in a nearby community to get some financial aid. She wanted to make arrangements to leave the farm they had rented and settle her children and herself elsewhere.

The landlord, it is reported, took the Hooks' two cows and their cotton crop and forced the children to work.

Later, through the intervention of white and Negro friends, all

but two of Mrs. Hooks' children were freed from the landlord.

Mrs. Hooks would like to go to get the two remaining children, but she fears to make the trip to Elmore County in view of the threats she reports have been made against her life.

## AFRO-AMERICAN BACKS BAIL DEMAND OF '11'

BALTIMORE.

The Baltimore Afro American, in its issue of Nov. 1, ran an editorial entitled, "Bail for Communists," which said: There is small wonder that confusion exists in the minds of many Americans following the recent conviction of 11 Communist leaders in New York.

This confusion has been compounded by the jailing of all five defense attorneys along with their clients and by the refusal of bail to any of them. Something new has surely been added.

While many of us would be the first to oppose those who would advocate the overthrow of our present government, there are just as many who have not been convinced, despite the verdict, that the charge was clearly substantiated.

Throughout the trial there was the insistence by the defense that thoughts and ideas, rather than men, were actually on trial. There was much talk of the Constitution and the Bill of Rights by both sides. These issues probably will not be decided conclusively until they reach the U.S. Supreme Court.

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## Northwest Jurists Agree: Reasonable Bail is a Must

By Terry Pettus

SEATTLE, Nov. 3.—Ninety-four-year-old Judge James T. Ronald, one of the nation's oldest and most respected jurists, joined with a number of his legal colleagues in

declaring that defendants in all criminal cases, except murder and treason, have the right to bail.

Judge Ronald was one of the two judges and a representative list of attorneys, pooled on the issue raised by Judge Harold Medina in denying bail to the 11 national Communist Party leaders pending the outcome of their appeal from the unprecedented "conspiracy to advocate" conviction.

With one exception, the attorneys pooled are identified with the Republican and Democratic Parties. Only three of those contacted declined to state an opinion. Only one, Gerald Hile, a former assistant U. S. attorney, stated that no defendant has a "legal right to bail."

Judge Ronald, who retired last spring after 40 years on the Kings County Superior Bench, said that "I never once denied bail except in cases of first degree murder, where the proof was positive or where the presumption of guilt was great."

Referring to the Communist leaders, he said: "In my opinion when the matter reaches the higher court it will rule that the defendants are entitled to bail. The right to bail is a matter of law—the amount of bail is a question for the court to decide in the light of all the circumstances of the case."

### SECOND JURIST CONCURS

The position of Judge Ronald was concurred in by Judge Hugh Rosellini of the Pierce County (Tacoma) Superior Court. Judge Rosellini said the "right to bail exists" except in the case of capital crimes.

"I know of one case of the denial of bail by a federal court in California but I do not consider that a precedent. It would seem to me that in the Foley Square trial the granting of bail would be proper."

The right to bail regardless of the "guilt or innocence of the defendant is elemental," is the opinion expressed by Ralph Horr, former member of Congress and past chairman of the Kings County Republican Central Committee. "The right to bail certainly holds true in the case of an appeal."

Charles Stokes, Negro attorney and delegate to the 1948 Republican Party national convention, said that "the only crimes I know of in which bail is denied are murder in the first degree and treason."

### CITES BILL OF RIGHTS

John F. Evich, Democratic Party leader and former police court judge, said that "in our state we have a statute stipulating the right to bail in all cases except heinous crimes. The right to bail is implied in the Bill of Rights which prohibits excessive bail."

Ben A. Maslan, said that "certainly attorneys favor the principle

highly doubtful legality and reasonable bail should certainly be allowed."

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WAIT FOR  
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ATTORNEY SACHER DECLARES:

# Bail Hearing Forced Gov't To Admit 'Doubt' in Trial of 11

By Joseph North

Harry Sacher, one of the defense attorneys for the 11 Communist leaders, said yesterday that Attorney General McGrath, at the Circuit Court of Appeals Tuesday, "virtually conceded" doubt of the Smith Act's constitutionality and therefore admitted that the guilt of the defendants under that act is in question.

Both judge and prosecutor refused to recognize such a doubt existed throughout the entire nine-month trial and arbitrarily rejected the defense contention that the Bill of Rights was in jeopardy. Refusal to admit an iota of doubt was the judge's basis for rejecting bail.

The Attorney General's concession was the central point that emerged from the argument for bail before the federal court and reflects the tremendous concern millions have voiced since the verdict. It is a development of incalculable significance for the nation.

## MOST SIGNIFICANT

As Sacher put it, the primary significance of the day's argument was this:

"What the Attorney General virtually concedes is that the constitutionality of the Smith Act and the guilt of the defendants under the act are in doubt. This was a doubt which both Judge Medina and Prosecutor John F. X. McGohey—now federal Judge McGohey—refused to recognize at any time and particularly when the defendants sought bail."

Those present during the trial will recall the colloquy between judge and prosecutor when the bail issue was argued. Prosecutor McGohey said the "judge has no doubt" as to the constitutionality of the Smith Act, "I have no doubt," and therefore, he contended, the defendants were not entitled to bail. The judge agreed.

But at the hearing on bail, Tuesday, the Attorney General's spokesman, Irving S. Shapiro, of the Department of Justice said:

"I am not prepared to take the position that the constitutional question is not substantial, although we do think we are right."

## 1ST AMENDMENT

Shapiro, at the outset of Tuesday's hearing announced that he represented the opinion of the Attorney General. The one question which in the view of the Attorney General is a serious matter, Shapiro said, "is the question of the First Amendment rights." Precisely what the defense had argued nine, long months. But, the Department of Justice lawyer went on to say, the Attorney General is "convinced" that the rulings of the trial judge are "correct" on the constitutional matter.

He admitted, however that the defendants have an "arguable point." He said "We think they are wrong, we hope they are wrong," but conceded that the "point is there" and "it will have to be argued before this court and ultimately before the Supreme Court."

This is at loggerheads with the

## Soviet Cotton Cloth Output Rises 20%

MOSCOW, Nov. 3.—Soviet light industry is increasing the output of fabrics, cloth, footwear, crockery and haberdashery in the fourth quarter of 1949. Textile factories are now manufacturing 38 percent more silk than last year, and the output of cotton fabrics this quarter will be 20 percent larger. Factories are greatly expanding the production of woolen and worsted fabrics. Knitwear factories are now producing 35 percent more stockings and socks than last year.

judge's position as well as that of the prosecutor. It is in large measure a belated back-hand recognition of the valid struggle the defense put up throughout the trial. It throws, too, a glaring light upon the reasons why the attorneys for the 11 became defendants when the judge cited and sentenced them for contempt.

This was their contention throughout—and because they vigorously presented their viewpoint which was at the opposite pole of the judge and prosecution—they too were sentenced to prison.

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Judge Hand thereupon asked a pointed question: "Not even if his conviction were doubtful?"

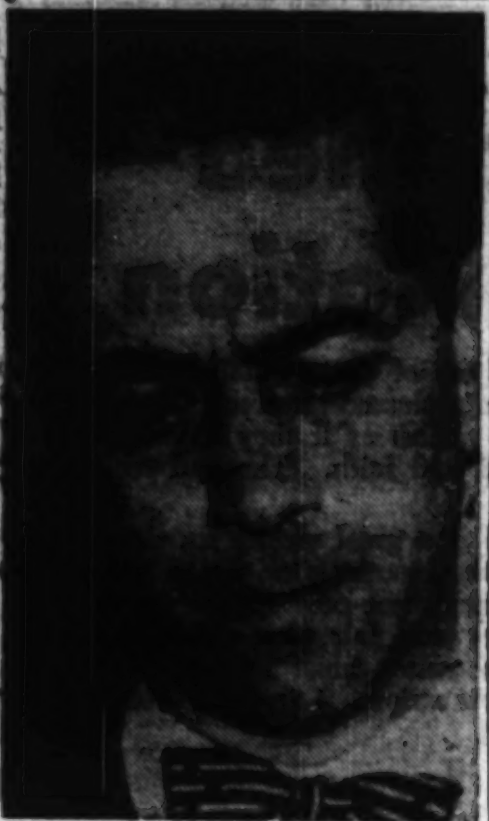
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Helen Winter, wife of Carl Winter, brought greetings to the conference from her husband and the 10 other Communist leaders in the Federal House of Detention on West St.

Alan Max, managing editor of the Daily Worker and The Worker, presided at the conference.

## Daily Worker

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 Daily Worker .25 .35 .50



# ELEVEN COMMUNISTS WIN RELEASE ON BAIL

By Bernard Burton

## Victory Hailed Through Nation

MISS DOROTHY DAY, editor of the Catholic Worker: "I am glad to hear that they are being released but I am staggered by the amount of bail asked. It is almost as if they didn't want to release the men. It was done in bad faith. The bail request is gigantic."

REV. THOMAS HARTEN: "It is a great victory for democracy and the minority groups against the reactionaries, Ku Kluxers and Dixiecrats. Every citizen of Harlem, not only the Negro people, but all who believe in democracy and fair play should vote for Ben Davis. A vote for Davis is a vote against Talmadge, Rankin, Gerald K. Smith and those of that stripe. I feel the Communist Party is here to stay."

## PHILADELPHIA

HENRY RHINE, international representative of the Philadelphia Electrical Workers: "The bail is too high but it is a tribute to the kind of campaign the American people put on in recognizing the effect that these attacks on Communist leaders have on themselves. Many non-Communists saw their own freedoms were jeopardized, especially labor leaders and workers who feel every day attacks from the same forces."

MAGISTRATE HOBSON REYNOLDS, head of national civil liberties committee of the Elks, and Republican candidate for re-election in Philadelphia: "Good, I am glad to hear of it. We had already sent in our request for the granting of bail. The next step is to go in there and battle for a new trial."

ALBERT GERBER, Philadelphia attorney: "I think the bail is ridiculously high. It is out of keeping with our standard traditions of bail. They are not murderers."

## CHICAGO

CHICAGO, Nov. 3.—The following statements on the winning of bail by the 11 were made by:

EARL DICKERSON, past president, National Bar Association and former alderman in Chicago City Council: "It was a travesty on fair play that bail was denied, especially where the constitutionality of the Smith Act is in doubt. I felt reasonably sure that after a review of the facts, the Circuit Court would necessarily reach the conclusion that bail should be granted."

SIDNEY JONES, prominent Negro attorney: "I never doubted for a moment that the Circuit Court or any other reviewing court would have done otherwise. I am not surprised at all and I am very gratified at the result. It was unthinkable that any other result could have been reached."

DR. A. EUSTACE HAYDON, Chicago Ethical Society: "I am pleased to know that bail has been granted. Everyone, no matter what their position may be, is entitled to all the liberties of this country."

REV. EDWIN T. BUEHRER, Metropolitan Community Church, largest Negro church in the city: "The granting of bail is evidence that somebody feels that these defendants weren't dealt with fairly and squarely. It brings a ray of hopefulness in what is generally a very unfortunate situation."

## OHIO

CLEVELAND, Nov. 3.—Labor leaders' statements follow:

BERNARD MINTER, member general executive board, United Furniture Workers, CIO: "I greet the freeing of the 11 Communist leaders as a great victory for the American people. Everything in our power must be done to guarantee that this monstrous trial of the political beliefs of Americans be reversed. Only this can safeguard freedom of speech, thought and conscience for all Americans."

BEN GOLD, president, Fur and Leather Workers: "Although the bail set is still excessive and beyond the means of the ordinary person, the freeing of the 11 leaders of the Communist Party on bail pending their appeal is a powerful blow against the hysterical witchhunters. It is a blow against those who ignore or violate the Bill of Rights and particularly people like Judge Medina. This is a tremendous victory for the trade union movement and for all national and political minorities. The trade union movement can live and prosper only in a democratic America. We cannot relax now. The battle is just begun."

HUGH BRYSON, president, Marine Cooks and Stewards Union, CIO: "I have in the past urged the granting of minimum bail in the case of the leaders of the Communist Party. The announcement that bail has been granted, despite the opposition of Judge Medina and the government prosecutor, proves that even the Court of Appeals is convinced that there is a substantial question about the conviction of the defendants in the trial. The bail is obviously excessive. It should be reduced. I feel certain that just as the Court of Appeals has overruled Judge Medina on bail, so will it eventually throw out the entire framed-up case."

The 11 Communist leaders walked out of the Foley Square courthouse at 7 p.m. last night to be greeted by cheering hundreds of workers, who had waited since the morning when they heard the news that the defendants had been granted bail. The bail order was handed down Wednesday night, but it was not made public until yesterday morning. The total bail was \$260,000, with seven of the leaders required to post \$20,000 each and four of them \$30,000 each.

The 11, however, were kept waiting in West Street jail from 1 a.m., when Eugene Dennis was notified of the decision of the U. S. Court of Appeals, until 4 p.m., when they were transferred to the bullpen at the Federal Courthouse. But the government attorneys kept raising harrasing, technical questions, delaying their release, and it was another three hours before the 11 were permitted to walk out into the embraces of their wives and comrades.

The wives, many of them with their children—like Mrs. Mae Williamson, with little Neil, age 2½—had been waiting ever since news of the court order broke. The children waited quietly, although the little ones went without supper and with a sparse lunch.

"Daddy! Daddy!" cried little Ellen Thompson as Robert Thompson stepped from the bullpen into the U. S. Commissioner's office at 6:45 p.m. She flew into his arms, hugging her father, until a federal marshal parted them.

### PETTY TACTICS

And even up to the last, U. S. Attorney Irving H. Saypol kept trying to find pica-yune technical obstacles. He refused to release Gus Hall, Gilbert Green and Carl Winter unless they immediately listed a New York residence where they could be reached. All of them are from out of New York, but Saypol refused to take the word of defense counsel that they would be responsible for producing them at a moment's notice.

Finally, temporary residences were arranged for them at the homes of friends, and they were released.

Rebuffed by the U. S. Court of Appeals in their demands that no bail be granted, and then in their preposterous insistence on \$1,000,000 bail, Saypol and his staff persisted all day in what virtually every observer regarded as spiteful, delaying tactics.

Their first objection was raised in the morning shortly after Frederick V. Field, Robert W. Dunn and Milton Wolf appeared on behalf of the Bail Fund Committee of the Civil Rights Congress with \$260,000 in negotiable, Government gold-backed bonds.

The prosecution claimed that the Court had not said anything in the bail order about the \$10,000 fine levied in Judge Harold R. Medina's court against each defendant and demanded bond to guarantee "performance" on the fines.

### ANOTHER HEARING

This caused defense attorneys O. John Rogge, A. J. Isserman and Harry Sachse to appear again at one p.m. before Appeals Justices Learned Hand, Thomas W. Swan and Jerome N. Frank.

But Justice Hand stated: "We meant the bonds cover everything."

He told the counsel that originally the judges had thought of dividing the bail, part of it to guarantee payment of the fines in event their full appeal was rejected.

### AGREE ON PLAN

Prosecution Attorney Irving Shapiro insisted, however, that there be some security provided on the fine issue. It was finally resolved when the judges agreed to a proposal by defense counsel that the defendants be released immediately and that a stipulation

(Continued on Page 11)

## Foster Calls Bail Victory of People

The following statement was issued by William Z. Foster, national chairman of the Communist Party, on the bail victory of the 11 Communist leaders:

The American people have refused to be stampeded by the Foley Square thought-control verdict. The release of the 11 Communist leaders on bail is a repudiation of Judge Medina's infamous attempt to nullify the constitutional right to bail. It is also a repudiation of the government's opposition to bail under the guise of "agreeing" to the exorbitant bond of \$1,000,000.

This victory is the first fruit of the growing popular understanding of the fascist threat represented by the unconstitutional Smith Act.

The court, in granting bail, recognized that this case involves fundamental constitutional issues.

The job now is to arouse the whole country to the full meaning of this un-American political trial and to rally the American people for a repudiation of the verdict and the Smith Act under which the indictment was brought.



## Negro-White Law Group Studies '11' Trial

DETROIT, Nov. 3.—The Lawyers Guild executive board met today with the executive board of the Wolverine Bar Association, which is the Negro attorneys' organization, and set up committees to study the entire proceedings of the Foley Square trial and report to the two organizations for action next week.



ATTORNEY SACHER DECLARES:

# Bail Hearing Forced Gov't To Admit 'Doubt' in Trial of 11

By Joseph North

Harry Sacher, one of the defense attorneys for the 11 Communist leaders, said yesterday that Attorney General McGrath, at the Circuit Court of Appeals Tuesday, "virtually conceded" doubt of the Smith Act's constitutionality and therefore admitted that the guilt of the defendants under that act is in question.

Both judge and prosecutor refused to recognize such a doubt existed throughout the entire nine-month trial and arbitrarily rejected the defense contention that the Bill of Rights was in jeopardy. Refusal to admit an iota of doubt was the judge's basis for rejecting bail.

The Attorney General's concession was the central point that emerged from the argument for bail before the federal court and reflects the tremendous concern millions have voiced since the verdict. It is a development of incalculable significance for the nation.

## MOST SIGNIFICANT

As Sacher put it, the primary significance of the day's argument was this:

"What the Attorney General virtually concedes is that the constitutionality of the Smith Act and the guilt of the defendants under the act are in doubt. This was a doubt which both Judge Medina and Prosecutor John F. X. McGohey—now federal Judge McGohey—refused to recognize at any time and particularly when the defendants sought bail."

Those present during the trial will recall the colloquy between judge and prosecutor when the bail issue was argued. Prosecutor McGohey said the "judge has no doubt" as to the constitutionality of the Smith Act, "I have no doubt," and therefore, he contended, the defendants were not entitled to bail. The judge agreed.

But at the hearing on bail, Tuesday, the Attorney General's spokesman, Irving S. Shapiro, of the Department of Justice said:

"I am not prepared to take the position that the constitutional question is not substantial, although we do think we are right."

## 1ST AMENDMENT

Shapiro, at the outset of Tuesday's hearing announced that he represented the opinion of the Attorney General. "The one question which in the view of the Attorney General is a serious matter" Shapiro said, "is the question of the First Amendment rights." Precisely what the defense had argued nine long months. But, the Department of Justice lawyer went on to say, the Attorney General is "convinced" that the rulings of the trial judge are "correct" on the constitutional matter.

He admitted, however that the defendants have an "arguable point". He said "We think they are wrong, we hope they are wrong," but conceded that the "point is there" and "it will have to be argued before this court and ultimately before the Supreme Court."

This is at loggerheads with the

## Soviet Cotton Cloth Output Rises 20%

MOSCOW, Nov. 3.—Soviet light industry is increasing the output of fabrics, cloth, footwear, crockery and haberdashery in the fourth quarter of 1949. Textile factories are now manufacturing 33 percent more silk than last year, and the output of cotton fabrics this quarter will be 20 percent larger. Factories are greatly expanding the production of woollen and worsted fabrics. Knitwear factories are now producing 35 percent more stockings and socks than last year.

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Single Copies, 5c; 10c; 15c; 20c; 25c; 30c; 35c; 40c; 45c; 50c; 55c; 60c; 65c; 70c; 75c; 80c; 85c; 90c; 95c; 1.00; 1.05; 1.10; 1.15; 1.20; 1.25; 1.30; 1.35; 1.40; 1.45; 1.50; 1.55; 1.60; 1.65; 1.70; 1.75; 1.80; 1.85; 1.90; 1.95; 2.00; 2.05; 2.10; 2.15; 2.20; 2.25; 2.30; 2.35; 2.40; 2.45; 2.50; 2.55; 2.60; 2.65; 2.70; 2.75; 2.80; 2.85; 2.90; 2.95; 3.00; 3.05; 3.10; 3.15; 3.20; 3.25; 3.30; 3.35; 3.40; 3.45; 3.50; 3.55; 3.60; 3.65; 3.70; 3.75; 3.80; 3.85; 3.90; 3.95; 4.00; 4.05; 4.10; 4.15; 4.20; 4.25; 4.30; 4.35; 4.40; 4.45; 4.50; 4.55; 4.60; 4.65; 4.70; 4.75; 4.80; 4.85; 4.90; 4.95; 5.00; 5.05; 5.10; 5.15; 5.20; 5.25; 5.30; 5.35; 5.40; 5.45; 5.50; 5.55; 5.60; 5.65; 5.70; 5.75; 5.80; 5.85; 5.90; 5.95; 6.00; 6.05; 6.10; 6.15; 6.20; 6.25; 6.30; 6.35; 6.40; 6.45; 6.50; 6.55; 6.60; 6.65; 6.70; 6.75; 6.80; 6.85; 6.90; 6.95; 7.00; 7.05; 7.10; 7.15; 7.20; 7.25; 7.30; 7.35; 7.40; 7.45; 7.50; 7.55; 7.60; 7.65; 7.70; 7.75; 7.80; 7.85; 7.90; 7.95; 8.00; 8.05; 8.10; 8.15; 8.20; 8.25; 8.30; 8.35; 8.40; 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# ELEVEN COMMUNISTS WIN RELEASE ON BAIL

## Harlem Dances in Streets To Hail Davis Release

By Elihu Hicks

The reaction in Harlem to the news that Ben Davis is free on bail was as though there had been issued a new Emancipation Proclamation. There was dancing in the streets and jubilation everywhere—jubilation mixed with determination that Ben's temporary freedom will be transformed into permanent freedom.

On the corner of 110 Street and Lenox Avenue throngs of young people gathered singing songs and listening to a band. Mrs. Bessie Mitchell, sister of the one of the Trenton Six, was passing by and stopped to address the crowd. "Our liberties are on trial and they're almost gone," said Mrs. Mitchell, "but they can be protected if we unite around wonderful men like Ben Davis who we are greeting today."

The song which was on everybody's lips was the Negro spiritual *Oh Freedom*.

## 57 Dead in Philippine Gale

MANILA, P. I., Nov. 3.—The Red Cross reported today that the death toll in a windstorm that swept across the central Philippines had increased to 57.

An additional 31 persons drowned in Negros Oriental province when 170 houses were swept away, a Red Cross field worker there reported. The weather bureau said the storm, with winds up to 55 miles an hour, moved into the South China Sea and was 125 miles north northwest of Puerto Princessa this morning.

The Red Cross reported that 12,000 persons were homeless and in need of relief. The town of Dumagat on Mindanao was reported to have been leveled.

The Red Cross said it had received a report that northern towns in Negros Oriental were isolated as bridges were destroyed. Towns hard hit included Jimalalud, La Libertad, Guihulungan and Valle Hermoso.

## Czechs to Try Swedish Spy

The Czech Foreign Ministry informed the Swedish legation today that a Swedish businessman would stand trial soon on an economic espionage charge.

A Swedish legation spokesman said the businessman, Holger Hjelm, 26, was seized at Prague airport on Sept. 28 as he prepared to board a plane for Stockholm.

## Senators Want Cut in Europe 'Aid'

BERLIN, Nov. 3.—Members of the U. S. Senate Appropriations Committee touring Europe said today that America must cut its European aid as soon as possible.

Sen. John J. McClellan, (D-Ark.), said "I have already seen some countries where American expenditures can be reduced".



BENJAMIN J. DAVIS

## Davis Back in 21st to Win

By Elihu S. Hicks and Pete R. Morrow

Fighting Communist Councilman Benjamin J. Davis is coming straight home to Harlem and together with Paul Robeson and all the American Labor Party candidates Friday and Saturday will launch the big final push in New York City's election campaign.

Councilman Davis, along with Henry Winston and the nine other Communist leaders, was released from federal jail Thursday on bails totaling \$260,000.

The Saturday meeting scheduled for 5 p.m. on Harlem's famous Lenox Ave. and 132 St. will be preceded by parades and other victory demonstrations that will cover the community. With Councilman Davis will be Rep. Vito Marcantonio, running for Mayor; Ewart Guinier, Borough President; Paul L. Ross, Comptroller, and Mrs. Minneola Ingersoll, Council President.

With the mighty figure of Councilman Davis back home, the already increasing confidence of his victory over Earl Brown, the gang-up candidate, leaped.

Raymond Tillman, ALP campaign manager, predicted a

"smashing victory" for Councilman Davis, and appealed for "literally thousands of canvassers these last few days before election to clinch the victory."

"Then we must have thousands more on Election Day to see that the victory is not stolen from us."

Noting the troubled minds of the people, when Councilman Davis was jailed, as to whether or not he could serve if reelected, Tillman declared: "This fear is now to a considerable extent removed."

"The people of Harlem and New York and the nation have scored three mighty victories in recent weeks," Tillman declared. "The first was the tremendous registration turnout, despite the intimidation and confusion spread by the Foley Square frameup trial. The second was chalked up when the mass pressure defeated the sneak

By Joseph North and Bernard Burton

Millions of Americans concerned over the threats to the Bill of Rights rejoiced yesterday when the 11 Communist leaders were granted bail by the U. S. Court of Appeals.

The 11 were ordered released from West St. federal prison on \$260,000 bail. Bail for seven was \$20,000 each, and, for the four others, \$30,000. The bail committee of the Civil Rights Congress posted the bond.

Workers had speeded down to the courthouse from all boroughs of the city upon hearing early morning radio announcements that bail had been granted.

Granting of bail — high though it is — climaxed a

Rep. Vito Marcantonio, American Labor Party candidate for mayor, said:

"I greet it as a step toward the vindication of the Bill of Rights."

nationwide demand that they be freed pending the appeal to the United States Supreme Court.

The government, last Tuesday, had asked a million dollars bail if bail were to be granted by the Appellate Court.

Americans from all walks of life, representing virtually every shade of political opinion, had notified Attorney General McGrath that the denial of bail repudiated free speech guarantees. They underscored—by wire, letter, delegation, resolution—their belief, too, that the Smith Act, under which the indictments were drawn, is unconstitutional.

The opinion, handed down by Judge Learned Hand, Thomas W. Swan and Jerome N. Frank, directed that bail be set because the government "conceded" that the appeal "raises a substantial question."

Signed by three justices, the order read:

"The prosecution having upon argument conceded that the appeal herein raises a 'substantial question' . . . it is ordered, adjudged and decreed that pending his appeal to this court each of the above mentioned defendants will be released upon posting a bond in the sum set opposite his name."

This reverses the position taken throughout the trial by Federal

Judge Harold Medina and former prosecutor John F. X. McGohey (now a federal judge). These had denied the defendants' contention that the Smith Act—under which the indictments were drawn—flagrantly violated the Constitution. Medina and McGohey, in denying bail, argued bitterly that no "substantial question" of doubt as to the Act's validity was involved.

### CONCESSION FORCED

Confronted with rapidly mounting protests from every corner of the land, Attorney General McGrath virtually conceded, in the hearing for bail before the Circuit Court last Tuesday, that a substantial doubt existed over the Smith Act's constitutionality.

The 11 defendants appeared in good health when they stepped out into the fresh air, unshackled. They had been confined to the prison since the trial's end.

Winston and Hall had been in the West Street jail for 154 consecutive days. They were remanded on June 3 by Judge Medina for verbally protesting the 30-day sentencing of John Cates. Gil Green was remanded to jail on June 21 and spent 136 days in confinement.

### OBSTACLE HURDLED

Although the order was in the hands of all parties since early morning, the delay in the release of the 11 was caused by objections from the government. These objections centered around the fact that the Appeals judges had failed to include any mention of the \$10,000 fine levied by Judge Medina against each of the defendants. This required rediscussion of the issues in the early afternoon in the U. S. Court of Appeals.

But Justice Hand stated: "We meant the bonds cover everything."

He told the counsel that originally the judges had thought of dividing the bail, part of it to guarantee payment of the fines in event their full appeal was rejected.

### ACREE ON PLAN

Prosecution Attorney Irving Shapiro insisted, however, that there be some security provided on the fine issue. It was finally resolved when the judges agreed to a proposal by defense counsel that the defendants be released

(Continued on Page 11)

## Britain Spats With Italy

LONDON, Nov. 3.—A Foreign Office spokesman today accused the Italian press of conducting "an unrestrained campaign of abuse" against Britain.